

APPLICANT'S STATEMENT
"WEST END DISTRICT" - DESIGN REVIEW THREE
TABLE OF CONTENTS

| | |
|---|-----------|
| I. PROPOSAL SUMMARY | 2 |
| GENERAL INFORMATION | 2 |
| REQUEST & PROJECT DESCRIPTION | 3 |
| SITE DESCRIPTION | 5 |
| SURROUNDING AREA | 5 |
| II. COMPLIANCE WITH CITY OF BEAVERTON COMMUNITY DEVELOPMENT CODE | 7 |
| CHAPTER 20 - LAND USES | 7 |
| CHAPTER 60 - SPECIAL REQUIREMENTS | 9 |
| CHAPTER 40 - APPLICATIONS | 56 |
| IV. CONCLUSION | 75 |

LIST OF EXHIBITS

| | |
|----------|--|
| A | COPIES OF APPLICATION FORM, FEE & RELATED DOCUMENTS |
| B | PRE-APPLICATION CONFERENCE SUMMARY |
| C | PRELIMINARY SITE PLANS |
| D | ARCHITECTURAL PLANS, ELEVATIONS & MATERIALS BOARD |
| E | NEIGHBORHOOD MEETING MATERIALS |
| F | CWS SERVICE PROVIDER LETTER |
| G | TRAFFIC STUDY (KITTELSON & ASSOCIATES) |
| H | PRELIMINARY STORM REPORT |
| I | BEAVERTON SCHOOL DISTRICT SERVICE PROVIDER LETTER |

I. PROPOSAL SUMMARY

GENERAL INFORMATION

| | |
|------------------------------|--|
| Applicant: | Urban Form Development 703 Broadway Street, Suite 510 Vancouver, WA 98660 (503) 314-0807 Contact: Fred Gast |
| Applicant's Representative: | Pacific Community Design, Inc. 12564 SW Main Street Tigard, OR 97223 (503) 941-9484 Contacts: Stacy Connery, AICP K.C. Schwartzkoph, PE Travis Jansen, PLS |
| Traffic Engineer: | Kittelson & Associates, Inc. 610 SW Alder Street, Suite 700 Portland, OR 97205 (503) 228-5230 Contacts: Julia Kuhn, PE |
| Natural Resource Consultant: | SWCA Environmental Consultants 1220 SW Morrison Street, Suite 700 Portland, OR 97205-2235 (503) 224-0333 Contacts: Mirth Walker, PWS, CWD |
| Geotechnical Engineer: | GeoDesign, Inc. 15575 SW Sequoia Parkway, Suite 100 Portland, OR 97224 (503) 968-8787 Contact: Shawn Dimke, PE, GE |
| Property Owners: | <u>15108DD Tax Lots 100, 200, 300</u> Sisters of St. Mary of Oregon 4440 SW 148 th Avenue Beaverton, OR 97078 |
| Site Location: | Northwest corner of the SW Murray Blvd. - SW Tualatin Valley Highway intersection |
| Map and Tax Lots: | 15108DD00100, 200, and 300 |
| Design Review Three Size: | 13.5 AC |

| | |
|----------------------------------|---|
| City Land Use Classification: | GC - General Commercial |
| Pre-Application Meeting Date: | TBD |
| Neighborhood Meeting Date: | TBD |
| Land Use Applications Requested: | Design Review Three Two (2) Replat One Sidewalk Modification Loading Determination |

REQUEST & PROJECT DESCRIPTION

This application proposes a Mixed-use, Multifamily Residential Development that will consist of three (3) new accessways (Streets A, B & C), oriented in a traditional grid pattern. Streets B & C will be laid out in the east-west direction, each stretching from the western property line and creating two connections to SW Murray Boulevard on the eastern property line. The third accessway, Street A, will be built to resemble a “Main Street” and will be oriented in the north-south direction, bisecting the subject site and intersecting with Streets B & C and then creating a connection to Tualatin Valley Highway at the south end of the subject property. The applicant would like to establish a traffic signal at the intersection of Street B and SW Murray Blvd and is working with the appropriate agencies to achieve this goal.

Two separate 10’ walkways are also provided between the buildings and will run the width of the property from SW Murray Boulevard to the western property line. These walkways are designed to provide safe, direct and comfortable pedestrian circulation in a way that is separated from automobiles. Street A, the main street, will have 20’ sidewalks on each side of the road which will provide both the space and freedom for residents and shoppers to linger and stroll throughout the site unabridged by automobile travel. Streets A, B, & C will be multimodal, allowing for vehicular, pedestrian, and bicycle transportation. All proposed accessways will be built to the same standards of a public street with sufficient sidewalk space on each side. The northern sidewalk of Street B, however, will be adjusted to be curb-tight to reduce impacts on the Significant Natural Resource Area to the north. Slow street speeds will reduce the risk for traffic conflicts and will allow the accessways to be shared among cyclists and vehicles alike.

Twelve (12) buildings are to be constructed, eight (8) of which will have frontage on Street A and the remaining four (4) buildings will front SW Murray Boulevard. The eight (8) buildings that are fronting Street A will be mixed-use, providing storefront commercial space at the street level and multifamily housing on the floors above. In total, 30,978 square feet of commercial space will be provided along Street A at the street level. The four (4) buildings that front SW Murray Blvd will be entirely multifamily residential. This proposed development will provide a total of 424 multifamily residential units. Vehicular parking for residents is hidden behind the proposed buildings where it is not visible from public streets or the proposed accessways. Street A, the main street, provides diagonal on-street parking for those who are visiting the establishments on the site as customers. The building elevations can be found in Exhibit D and are described in detail under Chapter 60. The elevations illustrate the articulation, variety, forms, and materials used in each of the proposed building styles.

These details include features such as window enhancement, changing materials (brick, concrete, hardie panel), recessed entries, and parapet walls.

The proposed development will feature a pedestrian plaza at the southwest corner of the site, as well as pedestrian amenities at each of the access points from both SW Murray Boulevard and Tualatin Valley Highway. These pedestrian amenities include trellises, entry columns, and landscaping. The northernmost accessway is provided with a 10-foot sidewalk to welcome active transportation into the site from SW Murray Boulevard. Other amenities that are provided include a community pool and a recreation center.

The proposed development is permitted within the GC (General Commercial) land use district, which is the current land use zoning of the site. The applicant is applying for a Design Review Three process, and is utilizing Design Guidelines listed below in order to comply with the respective Design Standards:

Table A: Design Guidelines Utilized:

| Design Standard: | Design Guideline: | Purpose: |
|------------------|-------------------|--|
| 60.05.15.6.C | 60.05.35.6.C | Pedestrian plaza is precluding Building 4 from being within the 20-foot maximum setback of Tualatin valley Highway. |
| 60.05.15.6.E | 60.05.35.6.D | Primary building entrances are not directly abutting Tualatin Valley Highway. Due to Main Street design, building entrances will front Street A and are within 50 feet of Tualatin Valley Highway. |
| 60.05.20.4 | 60.05.40.4 | The applicant complies with 60.05.20.4.A.1, however, the proposed fencing is two feet (instead of 4 feet) from the ROW, according to 60.25.20.4.A.2. |
| 60.05.25.3 | 60.05.45.1 | Proposed plan is able to provide 11 percent (%) of the proposed site be open space (Standard is 15%). |
| 60.05.25.4.D | 60.05.45.2 | Buildings 1 - 4 are located close to SW Murray Blvd ROW to promote a walkable corridor and reduce distance for pedestrian building access. 3 feet of landscaping along the frontage of buildings abutting Murray Boulevard. |
| 60.05.25.13 | 60.05.45.11 | This guideline is utilized to address the pedestrian plaza at the Southeast corner of the site within the required landscape buffer along Tualatin Valley Highway and the landscape buffer along the western property boundary to allow 5 feet (Instead of 10 feet) of landscape buffer. |

The applicant is also applying for a Sidewalk Modification to create curb-tight sidewalks along the northern sidewalk of Street B, and a Loading Determination to comply with the loading standards. The applicant is proposing to provide loading/unloading space behind the buildings in the parking lots in areas that are designated on the Loading/Parking Plan in Exhibit C. These areas are out of public view and are provided in areas that will not disrupt traffic. Finally, the applicant is seeking two (2) Replat Ones to consolidate all current individual tax lots into one. This project will be constructed and implemented in two phases, with tax lots 1S108DD00100 and 200 being consolidated and constructed in phase 1, and tax lot 300 being constructed and consolidated with tax lots 100 & 200 in phase 2.

Preliminary plans (see Exhibit C) are attached to illustrate the proposed development. These plans show the locations of recreation amenities such as the clubhouse, swim center and pool, and landscaped corridor with LIDA and wood-chip trail. This narrative and the attached exhibits demonstrate compliance with the applicable criteria of the City of Beaverton Development Code.

SITE DESCRIPTION

The subject site consists of 3 tax lots that total 13.5 acres in size. The site is identified as Tax Lots 100, 200, and 300 on Map 1S108DD in the City of Beaverton. The property is located at the northwest corner of the intersection between SW Murray Boulevard and Tualatin Valley Highway.

The site's topography slopes to the northeast towards Beaverton Creek. The site contains one large retailer, a grocery store, a gas station, and two restaurants. The current use of the site is retail. The property is within the Five Oaks/Triple Creek neighborhood area and is within the GC (General Commercial) land use district. Additionally, the northern tax lot has a portion of property that is designated as a Class I and Class II Riparian Wildlife Habitat area.

SURROUNDING AREA

The following tables identify land uses, utilities, and transportation facilities within the area surrounding the subject property.

Table B: Surrounding Land Use

| Direction | Land Use Classification | Current Use |
|-----------|---|---|
| North | OI (Office Industrial) | Office Space |
| East | SC-MU (Station Community - Multiple Use) | German International School of Portland, Washington County Justice Court, Single-family Residential, Retail |
| South | R2 (Urban Medium Density 2,000 sq. ft. - Multifamily) | Valley Catholic High School, Saint Mary's School |
| West | OI (Office Industrial) | Retail, Auto Sales/Repair |

Table C: Utilities

| Utility | Service Provider | Size | Location |
|----------------|----------------------|------|---|
| Water | TV Water | 8" | SW Murray Boulevard & Tualatin Valley Highway |
| Sanitary Sewer | Clean Water Services | 8" | SW Murray Boulevard |
| Storm Drainage | Clean Water Services | -- | Creek located north of property |

Table D: Transportation

| Street (Classification) | Existing | Planned | | | |
|---|-----------|----------|--------------------------|------------|-----------------------|
| | R/W | Max. R/W | Max. Paved Width Surface | Bike Lanes | LI DA Sw ale |
| SW Murray Boulevard (Arterial) | 90 - 100' | -- | -- | Yes | No |
| SW Tualatin valley Highway (Arterial) | 103' | -- | -- | Yes | No |

II. COMPLIANCE WITH CITY OF BEAVERTON COMMUNITY DEVELOPMENT CODE

CHAPTER 20 - LAND USES

20.10 COMMERCIAL LAND USE DISTRICTS

20.10.15 Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below. [ORD 4584; June 2012]

| Development Standards Superscript Numbers Refer to Footnote | NS | CS | CC | GC |
|--|----------------------------|--------------|--------------|--------------|
| A. Minimum Parcel Area - Non-Residential | 7,000 | 7,000 | None | 7,000 |
| B. Minimum Land Area ¹ - Residential | Refer to Section 20.25.05. | | | |
| 1. Attached | 1,000 / unit | 1,000 / unit | 1,000 / unit | 1,000 / unit |
| 2. Detached | 4,000 / unit | 4,000 / unit | 4,000 / unit | 4,000 / unit |
| C. Lot Dimensions | | | | |
| 1. Minimum Width | 70 | 70 | None | 70 |
| 2. Minimum Depth | 100 | 100 | None | 100 |
| D. Minimum Yard Setbacks | | | | |
| 1. Front ² | 20 | 20 | None | 20 |
| 2. Side ³ | | | | |
| a. Interior | 10 | 10 | None | 10 |
| b. Corner | 20 | 20 | None | 20 |
| 3. Rear ⁴ | 20 | 20 | None | 20 |
| E. Minimum Open Air Display Setbacks ⁵ | | | | |
| 1. Front | 20 | 20 | None | 20 |
| F. Building Height | | | | |
| 1. Maximum ⁶ | 35 | 60 | 60 | 60 |

- For Attached, minimum parent parcel of land area per dwelling unit; For Detached, minimum land area per dwelling unit.
- Under the conditions outlined in Section 60.05.15.6. of this Code, buildings in commercial zones located on parcels that exceed 60,000 square feet shall be exempt from Section 20.10.15.D.1., minimum front setbacks. Front yard setbacks for parcels in excess of 60,000 gross square feet shall be governed by the Design Review Design Standard specified in Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and the corresponding Design Review Design Guideline.
- Under the thresholds outlined in Section 40.30., application may be made for zero side yard setbacks.
- Rear yard setback is applicable to only the portion of the rear yard which abuts a residential zone; otherwise the minimum rear yard setback is 0 feet.
- Where permitted, open air sales / display / storage of merchandise shall be setback at least 20 feet from the front property line. The area shall be designated and subject to Decision Maker approval.
- Maximum building height of any building within 100 feet of a residentially zoned property is 35 feet.

Response: The applicant's proposal is located in the GC land use district and complies with the above standard. The applicant is proposing 424 total units. Therefore, the minimum land area for attached residential is 424,000 square feet (424 x 1,000 square feet/unit). For nonresidential developments, the minimum parcel area is 7,000 square feet. The gross area of the subject property is 586,299 square feet, which exceeds the minimum land area for both non-residential and all residential uses. The property fronts Tualatin Valley Highway to the south and because of its size (greater than 60,000 square feet), the subject site utilizes a 20' maximum setback to this property line. The property fronts SW Murray Boulevard to the east, which is a class 2 Pedestrian Route and therefore has a maximum setback of 20 feet. Proposed buildings are within the 20' maximum setback to SW Murray Road. The northern property line is 102' from the nearest building. The western property line, considered the rear of this project does not abut a residential zone and therefore, no setback is required. All buildings are less than the maximum 60' building height requirement (see Exhibit D).

20.10.20 Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Commercial Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.10.25.

| Category and Specific Use <small>Superscript Refers to Use Restrictions</small> | | NS P: Permitted | CS C: Conditional | CC N: Prohibited | GC |
|--|--|--------------------|----------------------|---------------------|----|
| Residential | | | | | |
| 1. Care | A. Care Facilities | P | P | P | P |
| | B. Accessory Dwelling Units | P | P | P | P |
| | C. Attached | C ¹ | P | P | P |
| | D. Detached | C ¹ | P | P | P |
| 2. Dwellings | E. Home Occupation | P | P | P | P |
| | F. Manufactured and Mobile Homes | N | N | N | N |
| | G. Manufactured / Mobile Homes Parks and Subdivisions | N | N | N | N |
| | H. Planned Unit Development | C | C | C | C |
| Commercial | | | | | |
| 3. Animal | A. Animal Care, Major | C | C | C | C |
| | B. Animal Care, Minor | P | P | P | P |
| | A. Hospitals | C | C | C | C |
| 4. Care | B. Medical Clinics | C | C | C | C |
| | C. Child Care Facilities | C | P | P | P |
| | D. Residential Care Facilities | C | C | C | C |
| | 5. Eating and Drinking Establishment | P | P | P | P |
| | 6. Financial Institutions | P | P | P | P |
| | 7. Live / Work Uses | P | P | P | P |
| | 8. Office | P ² | P | P | P |
| | 9. Parking as the Principal Use | N | N | C | P |
| | 10. Retail Trade ³ | P | P | P | P |
| | 11. Marijuana Dispensary ¹³ | N | P | P | P |
| | 12. Retail Marijuana Sales ¹⁶ | N | P | P | P |
| | 13. Service Business / Professional Services | P | P | P | P |

20.10.25 Use Restrictions

The following Use Restrictions refer to superscripts found in Section 20.10.20.

3. No sales or outdoor storage of animals or livestock are allowed with this use.

Response: The applicant is proposing to build 424 attached residential units and 30,978 total square feet of commercial space on the subject property. Planned commercial uses include retail, trade, Service businesses/professional services, and eating and drinking establishments. All proposed uses are all permitted outright under table 20.10.15 for the GC (General Commercial) land use district. The applicant is not proposing the sale or storage of animals or livestock anywhere on the subject property. Therefore, the applicant's proposal complies with the uses permitted in the GC District.

20.25 Density Calculations

20.25.05 Minimum Residential Density.

20.25.10 Floor Area Ratio.

Response: Minimum residential density is not applicable because the subject site is located within the General Commercial land use district. The General Commercial land use district does not have a minimum Floor Area Ratio requirement, therefore, the standards on minimum FAR do not apply to this application.

CHAPTER 60 - SPECIAL REQUIREMENTS

60.05.15 BUILDING DESIGN AND ORIENTATION STANDARDS.

Unless otherwise noted, all standards apply in all zoning districts.

60.05.15.1 Building Articulation and Variety.

- A. Attached residential buildings in Residential zones shall be limited in length to two hundred (200) feet. [ORD 4542; June 2010]

Response: This development is not in a Residential zone; this subsection is not applicable.

- B. Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant entrances devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18”), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is: [ORD 4584; June 2012]

- 1. Thirty (30) percent in Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]

Response: The site has two areas applicable to this standard: to the south along T.V. Highway, and to the east along Murray Boulevard. The frontages of these buildings include articulation and variety such as recessed entry, change in material, window enhancement, spacing between features, and wall offsets. Compliance with this standard is documented on the Design Standards Compliance Matrix (Table 1) as shown on the cover page of the attached architectural elevations in Exhibit D. The Matrix indicates that all street facing elevations exceed the 30 percent minimum for articulation and variety facing a public street.

Table 1 - Design Standards Compliance Matrix

| Design Standards Compliance Matrix | | | | | | | | | | | | | | | | | | | | |
|------------------------------------|---|--------------------|--------------------|--|-------------------|--|---------------------------|--------------------|--------------------------------------|----------------------|--------------------------|----------------------|------------------|--|-------|----------|-------------|-----------------|---------------------------------|--|
| Building Style | Articulation & Variety Facing Public Street (1) | | | | | Retail Glazing | | Roof Form | | | Roof Equipment Screening | | Primary Entrance | Building Materials Street Facing Public Street (2) | | | | Building Height | | |
| | Recessed Entry | Change in Material | Window Enhancement | Max Spacing Between Arch. Features - 40' | Wall Offset > 18" | At least 35% glazing on ground retail level where tenant entrance provided | | Minimum Pitch 4:12 | Roofs < 4:12 Shall Have Parapet Wall | Minimum 12" Overhang | Parapet Wall | Raised Roof Elements | Covered/Recessed | 6" Wide & 4" Deep | Brick | Concrete | Hardi Panel | Hardi Panel Lap | Minimum: 22'-0" Maximum: 60'-0" | |
| | | | | | | Front Elevation | Side Elev. Facing Highway | | | | | | | | | | | | | |
| A - Mixed Use | ● | ● | ● | ● | ● | 45% | 38% | ● | ● | ● | ● | | ● | ● | ● | | ● | | 52'-4½" | |
| A.2 - Residential | ● | ● | ● | ● | ● | N/A | N/A | ● | ● | ● | ● | | ● | ● | ● | | ● | | 47'-6⅞" | |
| B - Mixed Use | ● | | ● | ● | ● | 48% | 38% | N/A | ● | N/A | ● | | ● | ● | ● | | | | 50'-4" | |
| B.2 - Residential | ● | | ● | ● | ● | N/A | N/A | N/A | ● | N/A | ● | | ● | ● | ● | | | | 45'-5⅝" | |
| C - Mixed Use | ● | ● | ● | ● | ● | 45% | N/A | ● | ● | ● | ● | | ● | ● | ● | ● | ● | | 52'-2½" | |
| C.2 - Residential | ● | ● | ● | ● | ● | N/A | N/A | ● | ● | ● | ● | | ● | ● | ● | ● | ● | | 47'-4⅞" | |
| D - Mixed Use | ● | ● | ● | ● | ● | 41% | N/A | ● | N/A | ● | | ● | ● | ● | ● | ● | ● | | 54'-1⅞" | |
| D.2 - Residential | ● | ● | ● | ● | ● | N/A | N/A | ● | N/A | ● | | ● | ● | ● | ● | ● | ● | | 49'-3½" | |
| E - Mixed Use | ● | ● | ● | ● | ● | 48% | N/A | N/A | ● | N/A | ● | | ● | ● | | ● | ● | ● | 52'-4⅞" | |

(1) All street facing elevations exceed 30% minimum
(2) All street facing elevations exceed 70% minimum

C. The maximum spacing between permanent architectural features shall be no more than:

1. Forty (40) feet in Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]

Response: The attached architectural plans & elevations (Exhibit D and Table 1) show that there are no more than 40 feet between each of the architectural features on each building.

D. In addition to the requirements of Section 60.05.15.1.B. and .C., detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. Building elevations shall be articulated with architectural features such as windows, dormers, porch details, alcoves, balconies or bays. [ORD 4542; June 2010]

Response: The proposed development utilizes diverse architectural features to create articulation as seen in Exhibit D. Each of the building styles utilize a variety of architecture features that allow the development to exceed the intent of this requirement. Table 1 (above) provides greater detail on these features.

60.05.15.2 Roof Forms.

- A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.

Response: As shown in Exhibit D and the Design Standards Compliance Matrix (Table 1), all sloped roofs have a minimum 4/12 pitch. Two proposed building styles (B and E) do not have pitched roof form and this standard is not applicable to them.

- B. Sloped roofs on residential uses in residential zones and on all uses in multiple use and commercial zones shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches. [ORD 4584; June 2012]

Response: Sloped roofs in the proposed building styles have eaves that project at least twelve (12) inches from the building, as shown on the architectural elevations (Exhibit D). The Compliance Matrix (page 9 of the report) indicates that all applicable building styles have a minimum 12-inch overhang. The non-applicable building styles do not have sloped roofs.

- C. All roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches or architecturally treated, such as with a decorative cornice. [ORD 4584; June 2012]

Response: As shown in Exhibit D and the Design Standards Compliance Matrix (Table 1), all roofs with a slope of less than 4/12 pitch are articulated with a parapet wall. Building style D does not have a slope of less than 4/12 and this standard is therefore not applicable.

- D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.

Response: This development does not propose an addition to an existing structure and it is not a new structure in an existing development. Therefore, this standard is not applicable.

- E. Smaller feature roofs are not subject to the standards of this Section.

Response: The proposed roof forms follow the standards of this Section as shown in Exhibit D and Table 1 (shown on page 9 of this report).

60.05.15.3 Primary Building Entrances.

- A. Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.

Response: All primary entrances will be recessed as indicated on the Design Standards Compliance Matrix (Table 1 on page 9 of this report). The preliminary elevations in Exhibit D demonstrate compliance with this standard.

60.05.15.4 Exterior Building Materials.

- B. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment. [ORD 4542; June 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]

This standard shall also apply to all uses in the Industrial zones, except for buildings containing manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principal use of the site where this standard shall apply only to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space. [ORD 4531; April 2010]

Response: The preliminary elevations in Exhibit D demonstrate each of the proposed elevation styles have street facing elevations that are greater than 70 percent architecturally treated. The Design Standards Compliance Matrix (Table 1 on page 9 of this report) shows that the exterior building material treatments include brick, concrete, and hardie panel (cement board).

- C. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In Industrial districts, foundations may extend up to four (4) feet above the finished grade level. [ORD 4584; June 2012]

Response: The preliminary elevations and materials boards in Exhibit D demonstrate compliance with this condition.

60.05.15.5 Roof-mounted equipment.

- A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:
 - 1. A parapet wall; or
 - 2. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or
 - 3. Setback from the street-facing elevation such that it is not visible from the public street(s).
- B. The vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade of the property line or public right-of-way abutting the development site's front yard setback for a distance of one hundred (100) lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines. [ORD 4531; April 2010]
- C. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.

Response: Aside from Building Style D, each proposed building style implements the use of a parapet wall. Building Style D utilizes raised roof elements to screen roof equipment.

60.05.15.6 Building location and Orientation along street in Commercial and Multiple Use Zones.

- B. [ORD 4462; January 2008] Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet.

Response: The preliminary plans in Exhibit C demonstrate compliance with this condition. The side elevations of three (3) buildings along T.V. Highway occupy 35 percent of public street frontage (three 70-foot buildings along 600 feet of frontage = 35 percent). The front elevations for four (4) buildings fronting Murray Boulevard far exceed the 35 percent requirement.

- C. Buildings subject to the street frontage standard shall be located no farther than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.5.B. or 60.05.25.5.C.

Response: There are two site locations applicable to this standard: frontage along T.V. Highway to the south, and frontage along Murray Boulevard to the east. T.V. Highway has a maximum setback standard of 20 feet, therefore the setback along its frontage is set within 20 feet. Murray Boulevard has a maximum setback standard of 20 feet, therefore the setback along its frontage is set within 20 feet. Building 4, located in the southeasternmost portion of the property, will not be within the Tualatin Valley Highway 20-foot maximum setback due to the proposed plaza that will abut the corner of SW Murray Boulevard and Tualatin Valley Highway. The plaza and the landscaping buffer meet the requirements of both 60.05.25.5 B and C. However, the 20-foot maximum setback requirement is further addressed in the Design Review Guidelines (60.05.35.6.C) because Building 4 will not be within the required 20' maximum setback

of the southern property line. Compliance with this standard is demonstrated on the Dimensioned Site Plan (Sheet 4 - Exhibit C).

- D. Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes. Where a site has more than one corner on a Major Pedestrian Route, this requirement must be met at only one corner.

Response: The proposed development is located at an intersection with only one Major Pedestrian Route (Murray). Therefore, this standard does not apply.

- E. Buildings subject to the street frontage standard shall have at least one primary building entrance oriented toward an abutting street or public pedestrian way. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall have a reasonably direct pedestrian connection to a minimum of one abutting Class 1 Major Pedestrian Route or shall be oriented to a Class 1 Major Pedestrian Route corner. [ORD 4706; May 2017]

1. A minimum of one primary building entrance shall not be set back more than 20 feet from the abutting public street or public pedestrian way.
2. Pedestrian connections to street oriented primary building entrances shall not cross vehicular circulation and parking areas.

Response: The preliminary plan in Exhibit C demonstrate compliance with this standard for the Murray Road frontage, which is also a Class I Major Pedestrian route. The buildings with frontage on T.V. Highway do not have primary entrances within 20 feet from the street. These buildings have sides facing T.V. Highway. The primary entrances are located along the accessway frontage, which is within 50 feet of T.V. Highway. The applicant is seeking to meet the corresponding guideline, 60.05.35.6.D, for this standard.

- F. Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards.

Response: The proposed buildings have secondary entrances on the sides and rear that face accessways and off-street parking areas. The preliminary plans in Exhibit C and the elevations in Exhibit D demonstrate compliance with this condition.

60.05.15.7 Building Scale Along Major Pedestrian Routes.

- A. The height of any portion of a building at or within 20 feet of the property line as measured from the finished grade at the property line abutting a Major Pedestrian Route shall be a minimum of twenty- two (22) feet and a maximum of sixty (60) feet. Building heights greater than sixty (60) feet are allowed if the portion of a building that is greater than sixty (60) feet in height is at least twenty (20) feet from the property line that abuts the Major Pedestrian Route. In all cases, building height shall meet the requirement of Section 20.20.50. for the specific zoning district. [ORD 4462; January 2008] [ORD 4531; April 2010]

Response: The preliminary elevations in Exhibit D and Table 1 (page 9 of this report) demonstrate compliance with this standard. Building heights for each of the proposed building styles range from 47' to 54'.

- C. The maximum heights specified in Section 20.20.50. shall not be exceeded, unless separately authorized through an adjustment or variance application, or where credits are earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4.B.2. [ORD 4531; April 2010]

Response: An adjustment and/or variance will not be necessary. The preliminary elevations in Exhibit D demonstrate compliance with this standard.

60.05.15.8 Ground Floor Elevations on Commercial and Multiple Use Buildings.

- A. Except those used exclusively for residential use, ground floor elevations visible from and within 200 feet of a public street, Major Pedestrian Route, or a public park, public plaza or other public open space, and elevations that include a primary building entrance or multiple tenant entrances, shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings.
2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.
 3. Buildings on parcels in excess of 25,000 gross square feet within a Commercial zoning district: Thirty-five (35) percent.

Less glazing may be provided in a Commercial zoning district when increased building articulation and architectural variety is provided pursuant to Section 60.05.15.1.B.2. of this Code.

For the purpose of this standard, ground floor elevation area shall be measured from three (3) feet above grade to ten (10) feet above grade the entire width of the elevation. The ground floor elevation requirements shall be met from grade to twelve (12) feet above grade.

Response: SW Murray Boulevard is classified as a Class 2 Major Pedestrian Route as shown on the South Trek Station Community Plan's Major Pedestrian Route Map in 60.05.55.3. The buildings on Murray Boulevard are exclusively residential and are therefore not applicable to this standard. For the buildings fronting T.V Highway, the preliminary plans in Exhibit C and the preliminary elevations in Exhibit D both demonstrate compliance with this standard. As shown in Table 1 (page 9), each of the

proposed building styles with side-facing elevations has greater than 35 percent retail window glazing ratios.

- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk shall provide weather protection to the following minimum percent of the length of those elevations.

2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

Response: SW Murray Boulevard is classified as a Class 2 Major Pedestrian Route as shown on the South Trek Station Community Plan's Major Pedestrian Route Map in 60.05.55.3. The buildings on Murray Boulevard are exclusively residential and are therefore not applicable to this standard. The proposal includes buildings fronting T.V. Highway, but this is not identified as a Class 2 Major Pedestrian Route. This frontage does include a sidewalk where pedestrians can walk, but a required percentage is not given for non-major pedestrian routes. As shown in Table 1 (page 9), the proposed building styles fronting T.V. Highway have greater than 35 percent retail window glazing ratios. The elevations show that these window areas have overhangs and recessed entryways that provide weather protection for the ground-floor retail.

60.05.20 CIRCULATION AND PARKING DESIGN STANDARDS.

Unless otherwise noted, all standards apply in all zoning districts.

60.05.20.1 Connections to the Public Street System.

- A. Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element. [ORD 4531; April 2010]

Response: According to Figures 6.1 - 6.6, the subject tax lot has adequate sidewalks and transit service. TriMet has a major transit stop at the southern end of the development site that will not be negatively impacted by the proposal. Additionally, the classifications and number of lanes of both SW Murray Boulevard and SW Tualatin Valley Highway will not be changed with this development. The subject tax lot is also pictured on Figure 6.13; However, the applicant is not proposing to build into the LWI wetland or LWI riparian zones, which are the only elements of this figure that come into contact with the subject property. The applicant is proposing to create connections to SW Murray Blvd. and SW Tualatin Valley Highway. The preliminary plans in Exhibit C demonstrate compliance with this standard.

60.05.20.2 Loading Areas, Solid Waste Facilities and Similar Improvements.

- A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. [ORD 4531; April 2010]

Response: The applicant is proposing to place trash receptacles in the off-street parking areas located behind the buildings where they will be placed inside of trash enclosures. The trash receptacles themselves will not be visible from the public ROW.

See Trash Enclosure Plan in Exhibit C. Additionally, loading/unloading zones are being proposed in the off-street parking drive aisles behind the buildings. These areas are not visible from the public ROW and will not interfere with the function of the parking lots or their drive aisles (See Loading/Parking Plan in Exhibit C).

- B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.

Response: The proposed development is located within a General Commercial district and industrial uses are not being proposed with this development. Therefore, this standard does not apply.

- C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
 - 1. Solid screen wall constructed of primary exterior finish materials utilized on primary buildings,
 - 2. Solid hedge wall with a minimum of ninety-five (95) percent opacity within two (2) years.
 - 3. Solid wood fence

Response: The applicant is proposing to provide loading/unloading zones in the parking lots behind the buildings along the main street (See Loading/Parking Plan in Exhibit C). The parking lots will not be visible from the public ROW. Recycling/waste areas are also to be located in the parking lots behind the proposed buildings and each will be enclosed and will not be visible.

- D. Screening from public view by chain-link fence with or without slats is prohibited.

Response: The applicant is not proposing to use chain-link fencing. Therefore, this standard is not applicable. Details for the trash enclosure materials can be seen in Exhibit C in the landscape plans.

- E. Screening of loading zones may be waived in Commercial and Multiple Use zones if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses. [ORD 4584; June 2012]

Response: The applicant is not attempting to waive the screening requirements for loading zones and therefore, this standard does not apply.

60.05.20.3 Pedestrian Circulation.

- A. Pedestrian connections shall be provided to link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:
1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
 2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts occur,
 3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
 4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.

Response: The applicant is proposing twelve new buildings, two new connections to SW Murray Boulevard, and a third connection is also being proposed with SW Tualatin Valley Highway. These accessways have low vehicular speeds, on-street parking, sidewalks, and narrow streets to provide traffic calming to encourage a safe environment for pedestrians. Four of the eight new buildings will front SW Murray Boulevard, receiving direct access from the sidewalk. The other eight buildings will front the north-south accessway. The proposed accessways are oriented in a grid pattern, which allows for direct on-site pedestrian travel routes. The preliminary plans in Exhibit C show the proposed development connecting to the current bicycle and pedestrian networks shown in Figures 6.1 and 6.2. Figures 6.1 and 6.2 both show SW Murray Boulevard and Tualatin Valley Highway with adequate bicycle and pedestrian facilities. The proposed development does not affect the classification of roads and/or the frequency of transit services, therefore, this proposal does not preclude Figures 6.3 through 6.6, which display the classification of roads, number of lanes, and need for transit, respectively. TriMet has a major transit stop located at the southern end of the property as seen in Figures 6.1 & 6.2. This major transit stop will not be affected by this development. A system of smaller pedestrian pathways will connect the buildings to each other, as well as to the larger walkways that run east-west through the development. These smaller pedestrian paths are 5 feet wide and will provide pedestrian access to the parking lots and to Tualatin Valley Highway to the south.

- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.

Response: All proposed buildings will have sidewalks abutting their facades. Four of the twelve buildings will front SW Murray Boulevard and the remaining eight buildings will front the north-south accessway. Main entrances are located in the center of the buildings, as shown on elevations in Exhibit D. The preliminary plans in Exhibit C demonstrate compliance with this standard. A system of smaller pedestrian pathways will connect the buildings to each other, as well as to the larger walkways that run east-west through the development. These smaller pedestrian paths are 5 feet wide and will provide pedestrian access to the parking lots and to Tualatin Valley Highway to the south.

- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.

Response: The subject site abuts SW Murray Boulevard to the east and Tualatin Valley Highway to the south. The applicant is proposing two accessways and two walkways that will run in an east-west orientation, as well as two other proposed pedestrian connections that will connect to Tualatin Valley Highway. These accessways and walkways are less than 300 feet apart from each other. Additionally, the accessway that bisects the subject property in a north-south orientation, will have 20' sidewalks and will connect with Tualatin Valley Highway. This accessway is within 300' from the intersection of SW Murray and Tualatin Valley Highway. The preliminary plans in Exhibit C demonstrate compliance with this standard.

- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.

Response: The applicant is proposing to construct a pedestrian path through the parking lot area. Circulation plans in Exhibit C show curbs being used to separate pedestrians from vehicle movement in parking lots.

- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material than the primary on-site paving material.

Response: Different paving materials will be used to delineate crossing areas and continuous walkways will be provided. The preliminary plans in Exhibit C demonstrate compliance with this standard.

- F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply. [ORD 4531; April 2010]

Response: Sidewalks along the center Street A are to be 20 feet wide, and sidewalks along Street C are a minimum 5 feet wide. Street B has one, curb-tight 5-foot sidewalk along its north side, and a 10-foot sidewalk along its south side. Pedestrian corridors that connect the site in the east-west direction between buildings are a minimum 10 feet wide and the pedestrian pathways that travel through the parking lots are a minimum of 5 feet wide. The applicant will be using scored concrete and all sidewalks and walkways will be ADA compliant. The preliminary plans in Exhibit C demonstrate compliance with this standard.

60.05.20.4 Street Frontages and Parking Areas.

- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:
1. A minimum six (6)-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or
 2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.

Response: The applicant is required to create a B1-10' buffer along the frontage of Tualatin Valley Highway. The applicant's B1-10' buffer provides 10 feet of live ground cover, a variety of plants, and trees that are spaced 30 feet apart at 2.5" in caliper (See Planting Plans on page L1.3 - L1.5 in Exhibit C). There is also an 8-foot see-through fence that is proposed within this buffer that is made of stone-covered concrete and steel tubing (See page L2.1.1 in Exhibit C). This fence is placed two feet from the ROW line, which is closer than the required 4-foot distance and therefore, Design Guideline 60.05.40.4 is addressed.

60.05.20.5 Parking Area Landscaping.

A. Landscaped planter islands shall be required according to the following:

2. All uses in Commercial and Multiple Use zones, one for every ten (10) contiguous parking spaces. [ORD 4584; June 2012]

Response: The applicant is proposing to install one landscaped planter island for every ten parking spaces. In some cases, within the development, the applicant has a landscaped planter island closer than 10 spaces apart. The preliminary plans in Exhibit C demonstrate compliance with this standard.

- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.

Response: All proposed landscaped planter islands will be curbed, will have a minimum area of 70 square feet, and will have a minimum width of at least 6 feet. The islands will also be provided with a landscaping tree as well. The preliminary plans in Exhibit C demonstrate compliance with this standard.

- C. Linear raised sidewalks and walkways within the parking area connecting the parking spaces and on-site building(s) may be counted towards the total required number of landscaped islands, provided that all of the following is met:

1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
2. The minimum unobstructed sidewalk width is five feet.
3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.
4. Trees are located in planting area with groundcover or planted in covered tree wells.
5. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.

Response: The landscape plans in Exhibit C demonstrate compliance with this standard.

- D. Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist.

Response: Trees planted within the required landscape planter islands will be of a type and species identified within the Beaverton Street Tree List. The landscape plans in Exhibit C demonstrate compliance with this standard.

60.05.20.7 Sidewalks Along Streets and primary Building Elevations in Commercial and Multiple Use Zones.

- A. A sidewalk is required on all streets. Except where approved through Sidewalk Design Modification (40.58), the sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide. [ORD 4531; April 2010]

Response: The preliminary plans in Exhibit C demonstrate compliance with this standard. Murray Boulevard and Tualatin Valley Highway are not being improved with this development and adhere to the standards of a public street. The private accessways with this development are built to public street standards and will have a minimum sidewalk width of at least 5 feet. The applicant is also applying for a Sidewalk Design Modification for the northernmost accessway, which is addressed later in this report, to create curb-tight sidewalks.

- B. A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb. [ORD 4531; April 2010]

Response: Primary entrances are oriented towards street A, which provides access to eight of the twelve buildings and their entrances. Street A is provided with 20 foot scored concrete sidewalks on both sides. The other four buildings abut SW Murray Boulevard, which will have 10' wide sidewalks. The preliminary plans in Exhibit C demonstrate compliance with this standard.

- C. Residential development fronting common greens and shared courts, and detached units fronting streets are exempt from these standards of 7. B above, and are subject to the Engineering Design Manual. [ORD 4542; June 2010] [ORD 4576; January 2012]

Response: The applicant is not proposing any shared courts or common greens.

60.05.20.8 Connect On-Site Buildings, Parking, and Other improvements with Identifiable Streets and Drive Aisles in Residential, Commercial, and Multiple Use Zones. [ORD 4584; June 2012]

- A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:
1. The parking lot drive aisle is less than 100 feet long;
 2. The parking lot drive aisle serves 2 or less residential units; or
 3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.

Response: North-south and east-west accessways (Streets A, B, and C) are designed as private streets, which utilize direct access to angled and perpendicular parking stalls. Therefore, the private streets with parking stalls do not need to be designed according to standards of Section 60.05.20.8.B.

- B. Private streets, common greens, and shared courts shall meet the following standards:
1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.

Response: The site utilizes parking drive aisles with perpendicular and angled parking stalls, therefore is exempt from needing to comply with this Section 60.05.20.8.B (above). However, the north-south and east-west accessways designed as private streets will have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.

60.05.25 LANDSCAPE, OPEN SPACE, AND NATURAL AREAS DESIGN STANDARDS.

60.05.25.3 Minimum Landscape Requirements for Residential Developments Consisting of Eight (8) or More Units of Attached Housing or Compact Detached Housing. [ORD 4584; June 2012]

- A. Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:
1. A minimum of 15% of the gross site area shall be landscaped as defined in Section 60.05.25.4. [ORD 4584; June 2012]

Response: As shown on sheet L1.01-3.01, the plan is unable to meet the minimum 15 percent open space requirement. The proposed plan is able to provide 64,099 square feet of common open space, which is eleven (11) percent of the gross site area. To comply, the applicant seeks to utilize the corresponding guidelines 60.05.45.1.A-D, as discussed later in this report.

- B. At least twenty-five (25) percent of the total required open space area shall be active open space. [ORD 4515; September 2009] [ORD 4542; June 2010] [ORD 4584; June 2012]

Response: The landscape plans in Exhibit C show the applicant exceeds the twenty-five (25) percent requirement for active open space. The proposal provides 35,299 square feet of recreation area, which is fifty-five (55) percent of the total required open space.

- C. For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum common open space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum common open space requirement.

Response: There are environmentally sensitive areas at the north end of the site. These areas are counted toward the minimum common open space requirement.

- D. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a common green or shared court, shall not be considered common open space. [ORD 4542; June 2010]

Response: The vehicular circulation and parking areas are not counted toward the common open space ratio.

- E. Individual exterior spaces such as outdoor patios and decks constructed to serve individual units shall count toward the common open space requirement, with the following restrictions: [ORD 4584; June 2012]
1. Only a maximum of 120 square feet per unit may count toward the requirement. [ORD 4584; June 2012]
 2. Only patios and decks provided on the ground floor elevation level may count toward the requirement. [ORD 4584; June 2012]

Response: The proposed building styles include outdoor patios and decks for each of the units. Only the patios on the ground floor of the residential buildings are counted toward the common open space requirement, as indicated in Sheet 11 - Exhibit C. The ground floor patios total 1,044 square feet toward the common open space total.

- F. Common open space shall not abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, unless that common open space shall be allowed adjacent to these street classifications where separated from the street by a constructed barrier at least three (3) feet in height.

Response: Portions of the common open space abuts T.V. Highway. To comply with Standard F, above, the design utilizes a constructed barrier to separate the open space from the street. This barrier is to be a solid, wall with fencing on top that brings the total height beyond three (3) feet.

- G. Common open space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet. [ORD 4515; September 2009]

Response: Areas counted toward common open space are not smaller than 640 square feet, as shown on Sheet 11 - Exhibit C. Additionally, these common open space areas meet the 20 feet minimum length and width requirement.

- H. In phased developments, common open space shall be provided in each phase of the development consistent with or exceeding the requirements for the size and number of dwelling units proposed.

Response: The development is to be phased as shown on the Phasing Plan (Sheet 9 - Exhibit C). The southeastern corner of the subject will remain in its existing state as a gas station until 2020, when the lease on TL 300 is expired.

- I. Active common open spaces shall be included in all developments, and shall include at least two (2) of the following improvements:
1. A bench or other seating with a pathway or other pedestrian way;
 2. A water feature such as a fountain;
 3. A children's play structure;
 4. A gazebo;
 5. Clubhouse;
 6. Tennis courts;
 7. An indoor or outdoor sports court; or
 8. An indoor or outdoor swimming and/or wading pool.
 9. Plaza
- J. The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsection I, provided that these improvements provide a similar level of active common open space usage.

Response: The common open space areas offer a variety of active uses that include a woodchip path with seating, an overlook with benches, a club house, an outdoor swimming pool, and an entry plaza with a seat wall and bench seating.

60.05.25.4 Minimum Landscape Requirements for Attached Housing and Compact Detached Housing. [ORD 4584; June 2012]

- A. All front yard areas and all required open space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped. [ORD 4542; May 2010] [ORD 4584; June 2012]

Response: Landscape plans in Exhibit C demonstrate compliance with this standard.

- B. Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than twenty-five (25) percent of the landscape area.

Response: The applicant is not proposing the use of bare gravel, bark, or other similar materials as a substitute for plant cover. Landscape plans in Exhibit C demonstrate compliance with this standard.

- C. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area. [ORD 4515; September 2009] [ORD 4542; June 2010]

Response: Calculations for landscape area are not including vehicular circulation or parking areas (Sheet 11 - Exhibit C).

- D. All street-facing building elevations shall have landscaping along their foundation. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards:
1. The landscaped area shall be at least three (3) feet wide; and,
 2. For every three (3) lineal feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted; and,
 3. Groundcover plants shall be planted in the remainder of the landscaped area.

Response: This development is unable to meet these standards along the buildings' frontage along SW Murray Boulevard and instead relies on Guideline 60.05.45.2 in order to demonstrate compliance. Having Buildings 1 - 4 close to the ROW of SW Murray Boulevard helps to promote a walkable corridor and reduce the distances required for pedestrians to access the buildings.

- E. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area: SPECIAL REQUIREMENTS Design Review Standards Chapter 60 SR - 27 07/10/2015 60.05.25.4.E.
1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.
 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a

substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.

Response: Preliminary plans in Exhibit C demonstrate compliance with this standard.

- F. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement. When a shared court is utilized in a residential development in a Multiple Use zone, hard surface areas shall not exceed seventy-five (75) percent of the minimum landscaping requirement. A hard surface area shall be comprised of the following: [ORD 4542; June 2010] [ORD 4584; June 2012]

1. Brick pavers, or stone, scored, or colored concrete; and,
2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
3. Street furniture including but not limited to benches, tables, chairs, and trash receptacles; and, [ORD 4542; June 2010]

Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

[ORD 4515; September 2009]

Response: The applicant is proposing to construct a pedestrian plaza at the Murray Boulevard and T.V. Highway corner. Preliminary landscape plans in Exhibit C (sheets L1.01-3.01) demonstrates compliance with this standard.

60.05.25.8 Retaining Walls.

Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.

Response: There are no retaining walls proposed in this development, therefore these standards do not apply.

60.05.25.9 Fences and Walls.

- A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.

Response: Fences separating the project from the ROW of Tualatin Valley Highway will be constructed from a combination of stone and steel tubing (See L2.1.1 & 3 of the Landscape Plan, Exhibit C). The fencing around the pool will be made of tube steel (See

L2.1.4 of the Landscape Plan, Exhibit C), and a 6-foot wood-paneled screening fencing on the southern property will be used within the landscape buffer (See L2.1.6 of the Landscape Plan, Exhibit C).

- B. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.

Response: The applicant is not proposing to include chain-link fencing in this proposal.

- C. Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.

Response: All masonry walls are made with concrete masonry units and a brick façade. These structures are all a minimum of 6 inches wide. All other fencing on the site is at least 3 inches wide and comply with this standard (See L2.1.1 & 3 of the Landscape Plan, Exhibit C).

D. Fences and walls:

1. May not exceed three feet in height in a required front yard along streets, except required above ground stormwater facilities fencing which may be four feet in height in a required front yard, and eight feet in all other locations. [ORD 4659; June 2015]
2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.
3. [ORD 4576; January 2012] For detached housing along streets and housing facing common greens and shared courts in Multiple Use zones, 3 feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.

Response: No fences are being proposed in the front yard of this development as shown on the attached plans (Exhibit C). Fences are used along Tualatin Valley Highway, which is an arterial street and along the rear yard which is a B3 buffer zone between the GC and OI land use districts.

60.05.25.11 Integrate Water Quality, Quantity, or Both Facilities.

Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.

Response: There are various LIDA stormwater treatment facilities proposed throughout the site, as shown on the plans in Exhibit C. These facilities do not have a side slope greater than 2:1 and are not located between a street and the front of an adjacent building.

60.05.25.12 Natural Areas.

Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements. [ORD 4531; April 2010]

Response: The northern tax lot has a portion of property that is designated as a Class I and Class II Riparian Wildlife Habitat area. The applicant is not proposing to encroach into the resource area any further than the existing development.

60.05.25.13 Landscape Buffering and Screening.

All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2. and the following standards. For purposes of this Section, a landscape buffer is required along the side and rear of properties between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in Residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer area and landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.45.10. [ORD 4584; June 2012]

Response: The proposed development is located within the GC zone and is surrounded by the following zones: (OI) Office Industrial to the North and West, (R2) Urban Medium Density Multi-Family across the street to the South, and (SC-MU) Station Community Multiple-Use across the street to the East. The development is exempt from providing buffering and screening to the north and east. This is because of SW Murray Boulevard, the Major Pedestrian Route designation, and environmentally sensitive areas (along north boundary of the site). To satisfy Table 60.05-2, the applicant is proposing a landscape buffer 10' wide that is of the B1 variety along the southern property line due to the R2 zone across the street (See Planting Plans, pages L1.1 - L1.5 in Exhibit C). For the western property line, the applicant has addressed Design Review Guidelines 60.05.45.11 on page 33 of this report to allow for a 5' wide buffer instead of a 10' buffer. The buffer along the western property line will have live ground cover and shrubs along its entirety.

60.05.30 LIGHTING DESIGN STANDARDS.

Unless otherwise noted, all standards apply in all zoning districts.

60.05.30.1 Adequate On-Site Lighting and Minimal Glare on Adjoining Properties. [ORD 4584; June 2012]

- A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.

Response: The applicant's proposed illumination Plan in Exhibit C demonstrates compliance with the City of Beaverton's Technical Lighting Standards. Target light levels

shown on the Illumination Plan are based on guidance provided in conversation with City staff. Lighting will be provided throughout the development along all sidewalk areas where pedestrian activity is expected, as well as all areas where vehicular activity is expected. No neon, flickering or strobing lights will be used, and lights will not be placed within buffer areas. All poles will be placed in vehicular areas and will be measured from grade to be 16' in height. Pedestrian paths will be illuminated either by the lighting provided in the drive aisles, or by lighting from building exteriors.

- B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.**

Response: The applicant is proposing to provide lighting along Streets A, B & C, where both vehicles and pedestrian is expected to be highest. Lighting will also be provided in the parking lot areas which are located behind the proposed buildings, providing ample lighting for residents getting to their cars.

- C. Lighting shall be provided in pedestrian plazas, if any developed.**

Response: A plaza is being proposed at the corner of the intersection of Tualatin Valley Highway and SW Murray Boulevard and it will be sufficiently illuminated by both on-site lighting and lighting that is provided by the Streets. Walkways between the buildings and pedestrian accessways through the parking lots are also well-lit by either nearby lighting or by exterior-mounted lighting from the adjacent buildings (See Illumination Plan in Exhibit C).

- D. Lighting shall be provided at building entrances.**

Response: All twelve proposed buildings will have lighting at their entrances in the form of one standard wall-pack light fixture centered on each end of building and at entry points to building.

- E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.**

Response: All proposed canopies will have recessed lighting (See Exhibit D).

60.05.30.2 Pedestrian-Scale On-Site Lighting.

- A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:**
- 1. Fifteen (15) feet in height for on-site pedestrian paths of travel.**

Response: The applicant is not proposing pole-mounted luminaires along for pedestrian travel areas. All lighting for these areas will either be provided by exterior building lighting, or by pole-mounted luminaires which are located in the parking areas.

- 2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in Residential zoning districts.**

Response: The subject site is not located in a residential zoning district; therefore, this standard does not apply.

3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.

Response: All proposed pole-mounted luminaires for this development are to be 16' in height as per the details on page L2.1 of the Landscape Plans in Exhibit C.

4. Fifteen (15) feet for the top deck of non-covered parking structures.

Response: The applicant is not proposing to construct any parking structures with this development. Therefore, this standard does not apply.

5. The height of the poles for on-site pedestrian ways and onsite vehicular circulation areas shall be measured from the site's finished grade.

Response: All pole-mounted luminaires will be 16' tall, measured from the site's finished grade.

6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.

Response: The applicant is not proposing to construct any parking structures with this development. Therefore, this standard does not apply.

7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.

Response: Proposed pole-mounted luminaires will be black and will not be reflective.

- B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.

Response: The only non-pole-mounted luminaires that are being proposed are the external building lights, which comply with the City's Technical Lighting Standards.

- C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

Response: The applicant is not proposing to include bollards with this development. Therefore, this standard does not apply.

60.05.35 DESIGN REVIEW GUIDELINES

60.05.35 Building Design and Orientation Guidelines.

6. Building location and orientation in Commercial and Multiple Use zones. [ORD 4584; June 2012] [ORD 4706; May 2017]

- C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D) [ORD 4365; October 2005]

Response: This proposal is unable to meet Design Standard 60.05.15.6.C to its full affect for the buildings fronting on T.V. Highway to the south. While most of the buildings are within a 20-foot setback, Building 4 is shifted north to provide space for a pedestrian plaza. This pedestrian plaza is an important component of the project's active open space and provides an interface with the Major Transit Stop on the corner of Tualatin Valley Highway and Murray Boulevard (Exhibit C). Additionally, buildings in the center of the development (Buildings 5 through 12) will receive access directly from A Street, a pedestrian-friendly street that connects directly to the existing pedestrian network on Tualatin Valley Highway while the other four buildings will directly front SW Murray Boulevard. On-site sidewalks facilitate pedestrian travel throughout the development, as well as, to the existing pedestrian and transit systems. The proposed plaza in the southeast corner of the development will connect the development to the major transit stop.

- D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E) [ORD 4706; May 2017]

Response: This proposal is unable to meet Design Standard 60.05.15.6.E. for the buildings fronting on T.V. Highway to the south. While there are not primary entrances along T.V. Highway, the site is designed in a way that draws people in to the areas of activity. The buildings fronting the street have retail window glazing and monumentation signage that signal the entrance to the development. Visitors enter from T.V. Highway onto the main street area that has the primary building entrances and parking near the street— less than fifty feet, as shown on the attached plans (Exhibit C).

60.05.40 Circulation and Parking Design Guidelines.

Unless otherwise noted, all guidelines apply in all zoning districts.

4. Street frontages and parking areas. Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)

Response: The applicant is proposing a B1-10' buffer between the ROW of Tualatin Valley Highway and the parking areas of the proposed development. Inside this buffer, there will be trees of 2.5-inches in caliper, a variety of shrubs and plants, and a fence that has a 2' base made of stone and concrete, and a top, steel tubing portion that is 6' tall and see-through (See page L2.2 in Exhibit C).

60.05.45 Landscape, Open Space and Natural Areas Design Guidelines.

1. Common open space for residential uses in Residential zones.

- A. Common open spaces should be provided that are sized and designed for anticipated users, and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standards 60.05.25.1 through 3)**

Response: The proposal is not able to meet the requirement for 15 percent common open space, and therefore is subject to these guidelines. The Landscaping Area plan (Sheet 11 - Exhibit C) shows the open spaces that are sized and designed for the residents and visitors. The club house, public plaza, public trail, and pool center are all a short walking distance to the apartments and shopping areas. The site also includes 20-foot sidewalks in front of the retail along the main street (A Street). This sidewalk does not count toward the landscaping area percentage, but it includes common open space elements for visitors to enjoy such as street trees, bench seating, covered overhangs, and shops and restaurants.

- B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standards 60.05.25.1 through 3)**

Response: The common open spaces include a mix of both passive and active uses. These uses include a plaza space with benches and seating, a trail, and a pool space. The open space uses are detailed further in the Landscape Plans (L1.01-3.01 - Exhibit C). The common open space areas are conveniently located along a street and are in clear view of buildings, which promote eyes on the street safety and security.

- C. Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standards 60.05.25.1 through 3)**

Response: The common open space provided is free from all structural encroachments.

- D. Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face on to the common open space. (Standards 60.05.25.1 through 3)**

Response: All proposed buildings have living area windows facing the common open space areas.

2. Minimum landscaping in Residential zones.

- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)**

- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.4)

Response: For the frontage along SW Murray Boulevard, the proposal was unable to meet the landscaping standard in Section 60.05.25.4.D and is therefore subject to the above guidelines. SW Murray Boulevard is a Major Pedestrian Route and due to this, the applicant is proposing to have Buildings 1 - 4 abut SW Murray Boulevard in order to enhance the pedestrian experience. Landscaping along SW Murray Boulevard is still provided (pages L1.1 and L1.3 in Exhibit C). Having Buildings 1 - 4 close to the ROW of SW Murray Boulevard helps to promote a walkable corridor and reduce the distances required for pedestrians to access the buildings.

11. Landscape Buffering and Screening

- A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13) [ORD 4531; April 2010]

Response: The applicant is proposing to provide a landscape buffer along all property lines, except for the property line to the north and to the east. The northern property line is a Significant Natural Area and therefore, a buffer is not necessary. The eastern property line is a Major Pedestrian Route and therefore, there is a minimal setback which provides for a more pleasant pedestrian experience. Landscaping is still provided on the eastern property line.

- B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13) [ORD 4531; April 2010]

Response: The proposed uses do not interfere with nearby land use districts. Despite being in a General Commercial district; the proposed development will be largely residential and will blend well with the surrounding residential districts. A set of railroad tracks and Tualatin Valley Highway separates the subject site from the residential district across the street to the south. Setback standards along Tualatin Valley Highway are met for the entirety of the southern border except for the pedestrian plaza located in the southeastern corner of the subject site, which precludes Building 4 from being within the 20' maximum setback. Design Guideline 60.05.45.11 is being utilized to address this standard.

Although the applicant is reducing the width of the western property buffer to 5', which is less than 10 feet which is required by Table 60-05-2, the adjacent property to the

west of the proposed development is a car dealership. The parking lot of the car dealership abuts the subject site and therefore, the proposed parking lot will act as an extension of the neighboring parking lot. The landscape buffer will extend the entirety of the western property line except for areas where Streets B and C meet the adjacent property. Design Guideline 60.05.45.11 is being utilized to address this standard also.

- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)

Response: The applicant uses a mix of Crimson Pygmy, Oval-Leafed Privets, Dwarf Fountain Grass, and Bloodgood London Planetrees within the landscape buffer zone to create variety in the buffer. See the Planting Plan on page L1.5 in Exhibit C for more detail.

- D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E). [ORD 4531; April 2010] [ORD 4576; January 2012]

Response: The applicant is proposing to construct a large plaza in the southeast corner of the subject property. This plaza is necessary to provide a pedestrian connection from the subject site to the major transit stop on the corner of SW Murray Boulevard and Tualatin Valley Highway. According to Standard 60.05.25.13.G, a pedestrian plaza can be used as a landscape buffer. The proposed plaza increases the overall width of the buffer; however, the trees are not equidistant, and uniform as required by the landscaping standards. A variety of plants are used for the plaza area, which line the exterior of Building 4. Four trees are being proposed at 2.5" in caliper.

60.05.55 MAJOR PEDESTRIAN ROUTE MAPS.

Response: According to figure 60.05.55.3 above, SW Murray Boulevard is designated as a Class 2 Major Pedestrian route on both sides of the street. The subject property is located on the west side of SW Murray Boulevard and therefore, is subject to the standards of a Class 2 Major Pedestrian Route.

60.10 FLOODPLAIN REGULATIONS.

Response: Floodplain is contained within the resource areas at the north edge of the property. The proposed development is not located within the floodplain area. Therefore, Section 60.10 is not applicable.

60.15 LAND DIVISION STANDARDS.

60.15.10 Grading Standards.

1. **Applicability.** The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.
2. **Exemptions.** The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.:
 - A. Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.
 - B. Storm water detention facilities subject to review and approval of the City Engineer.
 - C. On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.
3. **On-site surface contouring.** When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
 - A. 0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]

Response: The proposed development is not within 25 feet of a property line within or abutting residentially zoned property. Therefore, these standards do not apply.

4. **Significant Trees and Groves.** Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:

Response: There are no significant trees or groves located on or near the subject site. Therefore, this Section is not applicable.

60.25 OFF-STREET LOADING REQUIREMENTS

60.25.05 Applicability.

No building or structure subject to the off-street loading requirements of this section shall be erected, nor shall any such existing building or structure be altered so as to increase its gross floor area to an amount exceeding 25% more than its existing gross floor area, without prior provisions for off-street loading space in conformance with the requirements of this section.

60.25.10 Loading Berth Design.

Required off-street loading space shall be provided in berths which conform to the following minimum specifications:

2. Type B berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30 feet maneuvering apron.

60.25.15 Number of Required Loading Spaces.

The following numbers and types of berths shall be provided for the specified uses. The uses specified below shall include all structures designed, intended or arranged for such use. In the case of a use not specifically mentioned, the requirements for off-street loading facilities shall be the same as a use which is most similar.

| | | AGGREGATE FLOOR AREA (SQ. FT.) | BERTHS REQUIRED | TYPE |
|----|---|---|-----------------------------|------------------|
| 4. | Department stores, retail establishments, funeral homes, restaurants, and commercial establishments not otherwise specified. | 7,000 - 24,000 24,001 - 50,000 50,001 - 100,000 each additional 50,000 or fraction thereof | 1 2 3 1 additional | B B B B |
| 7. | <u>Concurrent different uses.</u> When any proposed structure will be used concurrently for different purposes, final determination of loading requirements will be made by the decision making authority but in no event shall the loading requirements be less than the total requirement for each use based upon its aggregate floor area. | | | |

60.25.15 Loading Facilities Location.

1. The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.
2. No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code.

60.25.15 Loading Determination.

Off-Street loading requirements may be modified pursuant to Section 40.50. (Loading Determination)

Response: There are eight buildings being proposed with this development that are intended to have a commercial use on the ground floor. Each of these eight buildings has a total of only 4,108 square feet of commercial space each, which is well below the 7,000-square foot threshold that would require a loading berth (see 60.25.15). The 4,108 square feet in each building is split up between four separate leasable spaces that range from 868 square feet to 1,354 square feet. The applicant is proposing to provide loading/unloading spaces behind the buildings within the drive aisles of the parking areas. These designated spaces will not interfere with the circulation of the parking areas and they will not be visible from the public ROW.

60.30 OFF-STREET PARKING

60.30.05 Off-Street Parking Requirements.

Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05. to 60.30.20.

1. **Availability.** Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.
2. **Vehicle Parking.** Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.
3. **Bicycle Parking.** [ORD 3965; November 1996] Bicycle parking shall be required for all multi-family residential developments of four units or more, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual. [ORD 4397; August 2006]

[ORD 4107; May 2000]

Response: The applicant is proposing a sufficient amount of parking for both vehicles and bicycles on the subject site according to Section 60.30.10 of the development code. The parking areas will be maintained by the owner of the property upon construction.

60.30.10 Number of Required Parking Spaces.

Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:

60.30.10.5.A.

PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

| Land Use Category | Required Parking Spaces | | Maximum Permitted Parking Spaces | |
|------------------------------------|-------------------------|-----------------|----------------------------------|--------|
| | Multiple Use Zones | All Other Zones | Zone A | Zone B |
| Attached dwellings | | | | |
| One bedroom (per unit) | 1.0 | 1.25 | 1.8 | 1.8 |
| Two bedroom (per unit) | 1.0 | 1.50 | 2.0 | 2.0 |
| Retail, including shopping centers | 3.0 | 3.3 | 5.1 | 6.2 |

- Notes: 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
3. Refer to Section 60.30.10.10. for exceptions.
4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

Response: The applicant is proposing 424 total units with twelve buildings on the subject property, which is in a General Commercial Zone within Parking Zone A. Four of the buildings will be entirely residential, providing 34 two-bedroom units each. The other eight buildings will provide 15 single-bedroom units, 21 two-bedroom units, and 4,108 square feet of commercial space. Each residential unit in each building will be provided with either garage parking or a carport located in the parking lot. To calculate the minimum amount of parking spaces that are required, the table below (Table E) was used. The Shopping Center category is used for the multiple commercial tenants in the future. The parking plan (Sheet 8) in Exhibit C shows a total of 819 parking spaces on the subject property. 661 of these parking spaces are designated for the residential units, while 158 parking spaces are designated for all the commercial uses on the property. 34 of these spaces will be compact parking places. Compact parking places are addressed later in this report.

PARKING RATIO REQUIREMENTS FOR BICYCLES

| Land Use Category | Minimum Required Bicycle Parking Spaces | |
|------------------------------------|--|--|
| | Short Term | Long Term |
| Retail, including shopping centers | 2 spaces or 1 space per 12,000 sq. ft. of floor area | 2 spaces or 1 space per 12,000 sq. ft. of floor area |

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 4. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

Response: Using the table below, if all possible commercial uses can be generalized under the shopping center use, the requirements for short-term and long-term bike parking are provided. For the residential-only buildings, of which there are four (4), 2 bike parking spaces would be required for short-term and 34 bike parking spaces are needed to satisfy the long-term requirements. The eight (8) Mixed-use buildings will each require 4 short-term bike parking spaces, and 42 long-term bike parking spaces. According to the landscape plans on pages L1.1-1.4 in Exhibit C and the floorplans on pages B1 and B2 in Exhibit D, the site will provide 96 on-site bike parking spaces throughout the development. Each residential-only building will provide 20 spaces internally and each mixed-use building will provide 28 spaces internally. Additionally, all garages will have enough space to provide bicycle parking as well. There are 15 garages per building (180 total garages). See Table F below. Therefore, 480 bike spaces are required and 484 will be provided for the development.

Table F: Required Bicycle Parking Per Building

| Building Type | Residential-Only | Mixed-Use |
|--------------------------------|------------------|-----------|
| Units per Building | 34 | 36 |
| Shopping Center Square Footage | 0 | 4,108 |
| Short-Term Requirements | | |
| Residential | 2 | 2 |
| Commercial | 0 | 2 |
| Subtotal | 2 | 4 |
| Long-Term Requirements | | |
| Residential | 34 | 36 |
| Commercial | 0 | 2 |
| Subtotal | 34 | 38 |
| Total Needed | 36 | 42 |

8. **Residential Parking Dimensions.** For all residential uses, any required parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.) [ORD 4312; July 2004]

Response: All parking spaces will be constructed to comply with the minimum dimensions that are outlined in this standard. There are 34 proposed compact spaces being provided in the southeastern parking lot to provide space for the pedestrian connection through the parking lot to the pedestrian plaza.

60.30.10.12 Compact Cars.

Compact car parking spaces may be allowed as follows:

- A. For residential uses, required vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.7. [ORD 4471; February 2008]

Response: The required amount of parking for residential uses is 606 total parking spaces. The applicant is proposing a total of 661 parking spaces for residential uses. This exceeds the required residential parking amounts as shown on the Parking Plan in Exhibit C (Sheet 8). Up to 55 of the residential parking spaces can be compact spaces. 30 compact spaces are proposed, which is within allowable limits.

- B. For uses other than residential uses, twenty percent (20%) of the required vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the required parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002]

Response: The applicant is proposing a total of 158 total parking places to be provided towards the commercial uses of the site. 4 of the 34 proposed compact spaces, or 2.5% will be designated for commercial uses as shown on the Parking Plan in Exhibit C (Sheet 8).

60.30.15 Off-Street Parking Lot Design.

Response: As previously mentioned, 34 compact parking spaces are being provided in the southeastern parking lot to provide space for the pedestrian connection through the parking lot to the pedestrian plaza. The north-south oriented accessway that bisects the subject site will be provided with 45-degree customer parking on each side abutting the sidewalks. Behind the buildings are parking lots that will provide 90-degree parking for residents. The two east-west accessways both provide parallel parking along the south side. Parking plan in Exhibit C demonstrates compliance with the dimensions required for both 45-degree and 90-degree off-street parking spots found in section 60.30.15.

60.55.25 Street and Bicycle and Pedestrian Connection Requirements.

1. All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.

Response: The applicant is proposing pedestrian bulb-outs with a radius of 28 feet at all intersections inside of the project site's boundaries for traffic calming and pedestrian safety purposes. Additionally, narrow vehicular accessways are designed to promote slower vehicle travel. According to the traffic report given by Kittelson & Associates (Exhibit G), the projected vehicle volumes will be low enough for cyclists to be able to share the road with vehicles within the development. The development also includes a request for curb-tight sidewalks along the northern boundary of the site, abutting the SNRA. These sidewalks remain in compliance with safe and efficient circulation for bicycles and pedestrians.

2. The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.

Response: The applicant is not proposing any changes to the ROW for either SW Murray Boulevard or Tualatin Valley Highway. The three proposed accessways will be built to the standards of a private road. Due to this, two accessways (Street B, and C will each have sidewalks that are 5' wide. A Sidewalk Modification is proposed, however, to provide curb-tight sidewalks for the northernmost sidewalk of Street B. The

modification for curb-tight sidewalks still allows for adequate multi-modal access throughout the site, as shown on the circulation plan (Exhibit C).

3. Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.

Response: Both SW Murray and Tualatin Valley Highway already have existing on-street bicycle facilities and sidewalks abutting the subject site. Therefore, this standard does not apply to this proposal. The proposed modification for curb-tight sidewalks does not restrict these pedestrian and bicycle connections in any way.

4. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.

Response: The applicant proposes to create two vehicular connections to SW Murray Boulevard and a third vehicular connection to Tualatin Valley Highway. Additionally, the two east-west accessways will be stubbed at the west property line to not preclude future redevelopment of the adjacent property. Pedestrian and bicycle infrastructure also are being proposed to connect to the sidewalks and bike lanes of SW Murray Boulevard and Tualatin Valley Highway. The modification for curb-tight sidewalks still allows for adequate multi-modal access throughout the site, as shown on the circulation plan (Exhibit C).

5. Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.

Response: All surrounding proposed streets and bicycle/pedestrian infrastructure is proposed to comply with the standards of this code. Therefore, additional ROW will not be required.

6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.

Response The subject site is intended to create a low-speed environment for pedestrians and cyclists. On-site pedestrian paths will connect to the sidewalks of SW Murray Boulevard, a Class 2 Major Pedestrian Route, and to Tualatin Valley Highway. On-site pedestrian/cyclist crossings will only occur at intersections, where bulb-outs are proposed and where visibility is sufficient.

7. Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.

Response: On-site pedestrian paths will connect to the sidewalks of SW Murray Boulevard, a Class 2 Major Pedestrian Route, and Tualatin Valley Highway. The accessways proposed in this development will connect to these roads in a way that the existing bike lanes are easily accessible.

8. To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.

Response: The necessity for a special setback has not been identified.

9. Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.14. [ORD 4397; August 2006]

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

A. Accessways shall be provided as follows:

1. In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.
2. If any of the conditions described in Section 60.55.25.14. result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block. [ORD 4397; August 2006]
3. Where a street connection is not feasible due to conditions described in Section 60.55.25.14., one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park. [ORD 4397; August 2006]
4. The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.
5. In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-

sac to public streets, to other accessways, or to the project boundary to allow for future connections.

6. Within the South Cooper Mountain Community Plan area, the City may require an accessway to connect from multiuse paths or trails to streets, multi-use paths, or trails. [ORD 4652; February 2015]

B. Accessway Design Standards.

1. Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.
2. Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations. [ORD 4332; January 2005]

Response: The applicant is proposing to construct three accessways with this development. Two of the accessways will be oriented in an east-west fashion, and the third accessway will be oriented in a north-south fashion, bisecting the subject site. All three accessways will provide parking for customers and sidewalks for pedestrian access. The north-south accessway will provide pedestrian and cyclist access to eight of the twelve buildings. The other buildings will receive access from SW Murray Boulevard. The sidewalks allow for adequate multi-modal access throughout the site, as shown on the circulation plan (Exhibit C).

10. Pedestrian Circulation. [ORD 4487; August 2008]

- A. Walkways are required between parts of a development where the public is invited or allowed to walk.**

Response: A walkway is proposed to run east-west between buildings 1 & 2, buildings 5 & 6, and buildings 9 & 10 and a second walkway is proposed to run east-west between buildings 3 & 4, buildings 7 & 8 and buildings 11 & 12, connecting the entire site to SW Murray Boulevard. Three accessways are also proposed in a grid pattern to provide access to the development site. The two accessways that are oriented east-west have 5' sidewalks, while the north-south accessway has 20' sidewalks on each side. Pedestrian walkways are also provided throughout the parking lot to provide better circulation from Tualatin Valley Highway on to the site and for those who are driving and utilizing the parking lots.

- B. A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.**

Response: The Site Plan in Exhibit C demonstrates compliance with this condition. The accessways along the eastern property line are roughly 200 feet apart from each other and the southernmost accessway is roughly 200 feet from the intersection of SW Murray Boulevard and Tualatin Valley Highway. Additionally, pedestrian walkways are proposed between these accessways, creating pedestrian access approximately every 100 feet along the entire frontage of SW Murray Boulevard. The frontage of the subject site along Tualatin Valley Highway is only approximately 300 feet in length. An Accessway provides pedestrian access in the middle of this frontage. The curb-tight walkway is in compliance with this standard.

- C. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.

Response: Eight of the twelve proposed buildings front the north-south oriented accessway and this accessway connects to Tualatin Valley Highway at the southern end of the subject property. The other four buildings abut SW Murray Boulevard, which is connected to the north-south accessway via two east-west accessways. The curb-tight walkway is in compliance with this standard. Additionally, the applicant is proposing two large pedestrian accessways that will run east-west that will provide accessways to SW Murray Boulevard.

- D. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.

Response: The proposed development consists of straight, rectilinear lines that form a grid pattern, which is designed to provide direct walking routes between destinations. All pedestrian crossing areas are located at the intersections of accessways and are sufficiently visible by automobile users. The curb-tight walkway is in compliance with this standard. Pedestrian accessways are also provided through the parking lots to provide further connection to the site.

- E. Walkways shall be paved and shall maintain at least four feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.

Response: The proposed walkways are each a minimum of ten feet in width. Street A will have 20' sidewalks on each side, while Streets B & C will have a 5' sidewalks, requiring a Sidewalk Modification. The site plan in Exhibit C demonstrates compliance with this condition. The pedestrian system that is being proposed to connect the parking lots is five-feet wide and includes a curb.

- F. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.

Response: The proposed walkways comply with ADA standards. The site plan in Exhibit C demonstrates compliance with this condition.

- G. On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.

Response: The lighting plan in Exhibit C demonstrates compliance with this condition.

11. Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:

- A. For development within 200 feet of a Major Transit Stop:
 - 1. Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;
 - 2. Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;
 - 3. Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;
 - 4. Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,
 - 5. Provide lighting at the transit stop to City standards.
- B. Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.

Response: A Major Transit Route is located at the southern property line along Tualatin Valley Highway. The applicant is proposing to construct a pedestrian plaza at the southeast corner of the subject site that will connect the development to the transit stop. Additionally, the transit stop already exists with a bus shelter.

12. Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs. "Assessment" for the purposes of this section means to assess the sitespecific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. "Review" for the purposes of this section includes but is not

limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.

Response: The applicant is not proposing any bicycle or pedestrian facilities to be built in environmentally sensitive areas. Therefore, this standard does not apply.

13. New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.

Response: The applicant is not proposing to construct bicycle or pedestrian facilities along any residential rear lot lines. Therefore, this standard does not apply.

14. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:

- A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
- B. Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,
- C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

Response: The applicant is proposing sufficient street, bicycle, and pedestrian facilities to be included with this application. This standard does not apply.

60.55.30 **Minimum Street Widths.** [ORD 4302; June 2004] Minimum street widths are depicted in the Engineering Design Manual. [ORD 4418; February 2007]

Response: The accessways proposed with this development (Streets A, B, & C) are designed in compliance with standards depicted in the Engineering Design Manual. A request for curb-tight sidewalks along the northern boundary of the site, abutting the SNRA, is included. These sidewalks are in compliance with minimum street widths.

60.55 TRANSPORTATION FACILITIES

60.55.05 Purpose and Intent. It is the purpose and intent of this chapter to establish design standards and performance requirements for all streets and other transportation facilities constructed or reconstructed within the City of Beaverton.

60.55.10 General Provisions.

1. All transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.
5. Dedication of right-of-way shall be determined by the decision-making authority.

Response: Any development within the ROW of SW Murray Boulevard or Tualatin Valley Highway will be designed and improved in accordance with the standards of this code and the Engineering Design Manual. Permits, if necessary, will be obtained from Washington County and the Oregon Department of Transportation prior to any development with the public ROW. ROW dedication along Tualatin Valley Highway and SW Murray Boulevard will occur in accordance with applicable jurisdictional requirements.

60.55.15 Traffic Management Plan. [ORD 4302; June 2004] Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local Street or Neighborhood Route and having abutting property zoned R2, R4, R5, R7, or R10. [ORD 4584; June 2012]

Response: A Traffic Study conducted by Kittelson & Associates is provided in Exhibit G.

60.55.20 Traffic Impact Analysis. [ORD 4103; May 2000] [ORD 4302; June 2004] For each development proposal that exceeds the Analysis Threshold of 60.55.20.2, the application for land use or design review approval shall include a Traffic Impact Analysis as required by this code. The Traffic Impact Analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

Response: A Traffic Study conducted by Kittelson & Associates is provided in Exhibit G.

60.55.35 Access Standards

1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved
2. No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03. [ORD 4584; June 2012]

Response: Preliminary plans in Exhibit C demonstrate compliance with these standards. An accessway (Street A) is being proposed to provide access to the units on-site and it is not a dead-end street. However, two accessways on the site do not provide direct access to any units and will be temporarily stubbed (Streets B and C). Streets B and C are not intended to remain as close-end streets as they will be continued by the future redevelopment of the adjacent site to the west of the subject site.

3. Intersection Standards.
 - A. Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers. [ORD 4462; January 2008]
 2. The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual, and other applicable criteria.

Response: All intersections will be built to the standards of the Engineering Design Manual. Preliminary Plans in Exhibit C demonstrate compliance with this standard.

- B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.
 1. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density multiple use development. [ORD 4584; June 2012]
 2. When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.

Response: The applicant is not proposing any highway construction. The applicant is proposing a rectilinear grid. All intersections will be built to the standards of the Engineering Design Manual. Preliminary Plans in Exhibit C demonstrate compliance with this standard.

C. Driveways.

1. Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.
2. Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement. Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area. Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.
3. No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decisionmaking authority may approve access from a detached dwelling to an Arterial or Collector.

Response: The applicant is proposing three evenly-spaced accessways that are a sufficient distance from the major intersection of SW Murray Boulevard and Tualatin Valley Highway. These three accessways will provide access to the existing system for 424 new residential units and 30,978 square feet of commercial space.

60.55.40 Transit Facilities. [ORD 4302; June 2004] Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.

1. **Transit Shelters.** [ORD 4332; January 2005] All transit shelters and sidewalk furniture shall meet the following standards.
 - A. The proposal is located entirely within the existing public right-of-way, public access easement, or property owned by a public agency.
 - B. The proposal maintains an unobstructed path of travel of no less than six feet (6') unless a greater unobstructed path is required by this code for a specific sidewalk.
 - C. The proposal is not located within eight feet (8') of a point of ingress or egress of an existing structure.
 - D. The proposal is not located within a vision clearance area for a street, driveway, or other facility where vehicles regularly travel.
 - E. The proposal is not located within twelve feet (12') of a window display area.
 - F. The proposal does not consist of solid panels other than what is required to post transit schedules.

Response: The applicant will construct a plaza on the southeast corner of the subject site, creating better pedestrian connectivity between the proposed site and the adjacent major transit stop. The transit stop will not be affected by the proposed development.

60.60 TREES AND VEGETATION

60.60.10 Types of Trees and Vegetation Regulated.

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in Section 40.90. of this Code. The City finds that the following types of trees and vegetation are worthy of special protection:

3. Trees within Significant Natural Resource Areas.
5. Landscape Trees.

60.60.15 Pruning, Removal, and Preservation Standards.

2. Removal and Preservation Standards.
 - A. All removal of Protected Trees shall be done in accordance with the standards set forth in this section.
 - B. Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.
 - C. For SNRAs and Significant Groves, the following additional standards shall apply:

Response: The northern portion of the subject property is located within a Significant Natural Resource Area. However, the applicant is not proposing to remove any trees or vegetation from this part of the subject site. There are existing landscape trees on the subject site that are proposed to be removed. All trees that are designated to be removed will be removed and mitigated according to section 60.60.25. No significant or protected trees are proposed to be removed with this application.

60.60.20 Tree Protection Standards during Development.

Response: The applicant will follow the Tree Protection Standards during Development to protect the Significant Natural Resource Area located at the north end of the property.

60.60.25 Mitigation Requirements.

9. The following standards apply to the replacement of a Landscape Tree:
 - A. A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.
 - B. If a replacement tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species.
 - C. Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement of tree on a one-to-one basis shall be as follows:
 1. Calculate the sum of the total linear DBH measurement of the tree to be removed.

2. The total linear DBH measurement of the tree to be removed shall be replaced with tree at least 1.5 caliper inches in diameter. The total caliper inches of the replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.

Response: Existing landscape trees are to be removed and replaced with a tree of a similar species and/or a tree that is approved by the City. A total of 950' linear DBH will be removed with this development and the total of trees being replanted (970' DBH), surpasses this amount. The tree plan in Exhibit C - L1.05 demonstrates compliance with these standards.

60.65 UTILITY UNDERGROUNDING

60.65.15 Regulation. All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a Collector or Arterial roadway, and City funded roadway projects which the City Council has specifically considered and declined to fund utility undergrounding as a component of the roadway project, Washington County funded roadway projects, such as MSTIP projects, and Oregon Department of Transportation funded roadway projects. [ORD 4343; April 2005] [ORD 4363; September 2005]
2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;
3. The City reserves the right to approve surface mounted facilities;
4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and
5. Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.
6. Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.
7. If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.

Response: The applicant is proposing to place all on-site utilities, both pre-existing and proposed, to be placed underground.

60.65.20 Information on Plans. The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. Easements for all public and private utility facilities;
2. The location of all existing above ground and underground public and private utilities within 100 feet of the site;
3. The proposed relocation of existing above ground utilities to underground; and
4. That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code.

Response: Sheet 6 of the attached plans in Exhibit C demonstrate compliance with this standard.

60.65.25 Optional Fee In Lieu of the Undergrounding Requirement. If any of the following criteria are met as determined by the City, after receiving a recommendation from the Facilities Review Committee, at the applicant's option, applicant shall either immediately place the private utilities underground or pay a fee to the City toward future undergrounding in lieu of immediately placing private utilities underground. [ORD 4224; August 2002]

Criteria. An applicant may request an optional fee in-lieu of the undergrounding requirement by submitting a written request to the Director that addresses how one or more of the following criteria are met. The written request shall include the information required in Sections 60.65.20.2. and 3., shall identify the segment of the required utility undergrounding that meet the criteria below, and shall explain in narrative and graphic form how one or more of the criteria are met. [ORD 4224; August 2002]

1. Placement of private utilities underground would conflict with the current City of Beaverton Engineering Design Manual and Standard Drawings or the Clean Water Service's Design and Construction Manual, as applicable;
2. An improvement project(s), which would include placement of said private utilities underground, other than as a part of the proposed development, are funded in the City's or another public agency's current fiscal year budget, are under design, or are under construction, and the City has determined that utility undergrounding can be accomplished more efficiently as part of such other improvement project(s).
3. Excluding service connection(s) of private utility(s) to structure(s), the length of any one of the three private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 60.65.25.3. If any of the existing or proposed utilities meets the corresponding threshold, as specified in this criterion, then, at the option of the applicant, the applicant shall either pay a fee in-lieu for undergrounding all of said utilities that are not already underground or place all of said utilities underground. If any of the utilities exist and are deemed exempt from the undergrounding requirement, as specified in Section 60.65.15.1., only that exempt utility shall not be required to pay an in-lieu fee. All other existing utilities that share the location of the exempt utility shall either pay an in-lieu fee or be placed underground.

Table 60.65.25.3.

| | Threshold | <u>Electric</u> | <u>Telephone</u> | <u>Cable Television</u> |
|----|-----------|----------------------------------|--|-------------------------|
| A. | 500 feet | Tap lines with at least 2 poles | Class 1 (0 to 300 conductors) | Service drops |
| B. | 600 feet | Sub-feeder with at least 3 poles | Class 2 (301 to 600 conductors) | Feeder |
| C. | 800 feet | Feeder with at least 5 poles | Class 3 (601+ conductors or fiber optic) | Trunk or fiber optic |

Response: The applicant is proposing to have pre-existing and new on-site utilities placed underground. Therefore, the applicant will not pursue an Optional Fee In Lieu of the Undergrounding Requirement as described in this section.

60.65.30 Fees to be Paid In-Lieu of Undergrounding.

1. Applicants subject to the undergrounding in-lieu fee shall pay to the City an amount per linear foot of each private utility that is subject to underground relocation which is not placed underground. The amount of the fee shall be established by the City Council by resolution and shall be based on average costs of undergrounding by the private utility providers.
2. All in-lieu fees paid to the City shall be dedicated to future private utility undergrounding projects in which the City takes part. Any in-lieu fees paid on behalf of a particular property shall not have such property subject to future assessment or other City charge for the same work unless a credit is given for the fee having been paid.
3. By accepting an in-lieu fee, the City is not thereby assuming responsibility for placing overhead private utilities underground. In the event that an in-lieu fee has been paid to the City, the City shall credit all properties as to which the owner has paid in-lieu fees for undergrounding private overhead utilities against any future public assessment(s) or charge(s) in connection with such private utility undergrounding project(s).
4. All in-lieu fees shall be paid prior to the issuance of a Site Development Permit.

Response: The applicant is proposing to have on-site utilities placed underground. Therefore, the applicant will not pursue an Optional Fee In Lieu of the Undergrounding Requirement.

60.67 SIGNIFICANT NATURAL RESOURCES

60.65.35 Local Wetland Inventory. Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the site proposed for development is identified as the location of a significant wetland.

1. Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant wetlands shall be subject to relevant procedures and requirements specified in Chapter 50, of this ordinance.
2. Upon City's determination that a site contains wetland as identified on the Local Wetland Inventory map, notice of the proposed development shall be provided to the Division of

State Lands (DSL) in a manner and form prescribed by DSL pursuant to ORS requirements.

60.65.35 Significant Riparian Corridors. Prior to issuing a development permit, the list of Significant Riparian Corridors shall be reviewed to determine if the site proposed for development is identified as being listed corridor.

1. Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant riparian corridors, shall be subject to relevant procedures and requirements specified in Chapter 50 of this ordinance. [ORD 4659; June 2015]

Response: The northern portion of the property is located within a riparian corridor; However, the applicant is not proposing impacts to the Significant Riparian Corridor. Therefore, these standards do not apply.

CHAPTER 40 - APPLICATIONS

40.03 FACILITIES REVIEW COMMITTEE.

Consistent with Section 10.95.3. (Facilities Review Committee) of this Code, the Facilities Review Committee shall review the following Type 2 and Type 3 land use applications: all Conditional Use, Design Review Two, Design Review Three, Public Transportation Facility Reviews, Street Vacations, and applicable Land Divisions. Applicable land division applications are Replats, Partitions, Subdivisions, Fee Ownership Partitions, and Fee Ownership Subdivisions. In making a recommendation on an application to the decision-making authority, the Facilities Review Committee shall base its recommendation on a determination of whether the application satisfies all the following technical criteria. The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B., and all the following criteria have been met, as applicable: [ORD 4265; October 2003] [ORD 4404; October 2006] [ORD 4487; August 2008]

1. All Conditional Use, Design Review Two, Design Review Three, and applicable Land Division applications:
 - A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.

Response: The proposed development will have adequate critical facilities and services to serve the development at the time of completion. The site is served by frontages on two arterial roadways with adequate capacity to handle the expected daily vehicle trips, as demonstrated by the Traffic Impact Analysis. The existing storm sewer system will be improved to provide stormwater treatment in accordance with Clean Water Services' standards, and the downstream waterway has sufficient capacity to convey expected peak flows from the developed site. The existing sanitary sewer and water systems serving the site are sized sufficiently to support the proposed development. Finally, the development was designed in accordance with local Fire Code, incorporating recommendations by the TVFD Fire Marshal to address the District's access and fire suppression concerns.

- B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.

Response: Essential facilities and services will be provided prior to occupancy. The adjacent transit stop on Tualatin Valley Highway will be retained and enhanced by the proposed development. Pedestrian access will be enhanced with 10-ft wide sidewalks along the frontage streets. Bicycle access will be maintained, and adequate bicycle parking will be provided by the proposed development.

- C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

Response: The applicant's proposal complies with all applicable provisions of Chapter 20. Chapter 20 is addressed in the preceding section of this report.

- D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.

Response: The applicant's proposal complies with all applicable provisions of Chapter 60. Chapter 60 is addressed later in this report.

- E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.

Response: There will be a management company that will provide for the maintenance and improvements that are not subject to maintenance by the city or other local agencies.

- F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

Response: The applicant is proposing three low-speed accessways (Street A, B, and C) that are each provided with sidewalks and standards that are equal to that of a public street. Streets B & C connect to SW Murray Boulevard and provide on-street parking that separates vehicle traffic from pedestrians, as well as, scored concrete at crossings. Street A provides wide sidewalks and diagonal on-street parking, which allow for the safe passage of both vehicles and pedestrians. Additionally, two walkways are proposed to span the length of the project site in an east-west fashion and smaller pedestrian paths are proposed through the parking lots, providing more connectivity and better accessibility for pedestrians separate from vehicular travel.

- G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

Response: The applicant is proposing three new connections to the existing transportation system. Two of these connections will be provided by Streets B & C to SW Murray Boulevard on the eastern boundary of the subject site, while the third accessway in this development, Street A, will provide access to Tualatin Valley Highway to the south in a right-in/right-out fashion. At the intersection with SW Murray Boulevard, Street B is designed to include a traffic signal. As mentioned in the previous standard, all the proposed accessways (Street A, B, & C) each will be constructed at the standards of a public street. Therefore, Streets B & C will have sidewalks that are at least 5' wide. Street A will have sidewalks that are 20' wide. Also, the two walkways that are proposed to span the length of the project site in an east-west fashion will extend to connect with SW Murray Boulevard and smaller pedestrian paths are proposed through the parking lots, providing safer, more connected, and more accessible facilities for pedestrians separate from vehicular travel.

- H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

Response: The proposed development will have adequate fire protection as per city codes and standards. The layout of the proposed development will provide proper spacing and building access, as well as, proper turning radii as per the standards of Tualatin Valley Fire & Rescue.

- I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Response: The proposed development will have low speeds on all proposed accessways, high visibility at all intersections on-site, which are all stop-controlled, and a right-in/right-out intersection with Tualatin Valley Highway. Access to the sight from SW Murray Boulevard is provided through a proposed signalized intersection with Street B and a stop-controlled intersection with Street C.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

Response: Erosion control measures will be used to prevent adverse consequences of the grading process to protect nearby properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system

- K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

Response: The applicant's proposal complies with all ADA standards and facilitates pedestrian travel efficiently. The proposal provides corner ramps at all intersections and uses ADA-compliant slopes and clearances. Additionally, 18 ADA parking spaces are provided throughout the development in areas that are within a close vicinity of the proposed buildings.

- L. The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]

Response: All materials that are required under Section 50.25.1 are satisfied by, or along with this report and will be submitted to the city.

- 2. Public Transportation Facility Improvements or Modifications, including Street Vacations.

Response: The applicant is not proposing to improve either SW Murray Boulevard, Tualatin Valley Highway, or the Major Transit Stop that is located on Tualatin Valley Highway. Therefore, this standard does not apply.

40.20 DESIGN REVIEW

40.20.10. Applicability.

- 1. The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located. [ORD 4584; June 2012]
- 2. Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following: [ORD 4584; June 2012]
 - A. All uses listed as Permitted and Conditional Uses in all Commercial, Industrial, and Multiple Use zoning districts.
 - B. Site Grading

Response: The Applicant's proposal is listed as a permitted use within the GC (General Commercial) land use district and includes site grading, and therefore qualifies for design review.

4. Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, demolitions and redevelopments associated with them, will be treated according to the following principles:

Response: This proposal is considered a new development and is subject to a Design Review Three procedure because it does not meet all the applicable standards of this code. The standards that the applicant is unable to adhere to are as follows: 60.05.15.6.C and E; 60.05.20.4; 60.05.25.3 & 4.D; and 60.05.25.13. Therefore, the applicant has addressed the following design review guidelines, respectively: 60.05.35.6.C and D; 60.05.40.4; 60.05.45.1 and 2; and 60.05.45.11.

5. Design Review approval is required for all applicable new and existing developments. The City recognizes, however, that meeting minimum Floor Area Ratio (FAR) in an early phase of a multi-phased development on a large site may be difficult. The City also recognizes that creating high quality pedestrian environments along public streets is a priority. In recognition of these and other issues, the following options are available.

Response: There is no minimum floor area ratio requirement for Commercial Districts, and therefore, this standard is not applicable.

- B. When a development site abuts two (2) or more Arterial Streets that are also designated Major Pedestrian Routes, application of the applicable design standards may be moved from along the Arterial Streets. This alternative is to provide parking lot drive aisles developed as internal private streets, and to locate buildings along the internal private streets, subject to the following:

Response: The applicant's proposal is abutting two arterial streets, Tualatin Valley Highway and SW Murray Boulevard. However, the applicant's proposal only abuts one Major Pedestrian Route. Therefore, these standards do not apply.

40.20.15.3 Design Review Three.

- A. **Threshold.** An application for Design Review Three shall be required when an application is subject to applicable design guidelines and one or more of the following thresholds describe the proposal:
 1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district. [ORD 4397; August 2006] [ORD 4410; December 2006] [ORD 4462; January 2008] [ORD 4584; June 2012]
 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential zoning district. [ORD 4410; December 2006] [ORD 4462; January 2008] [ORD 4584; June 2012]

3. Building additions in Residential, Commercial, or Multiple Use zones more than 30,000 gross square feet of floor area. [ORD 4531; April 2010]
4. Building additions in industrial zones more than 30,000 gross square feet. [ORD 4531; April 2010]
5. Projects proposed utilizing the options described in Section 40.20.10.5.
6. New parks in Residential zoning districts.
7. A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).
8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

Response: The applicant meets threshold number eight (8) since it meets the thresholds for a Design Review Two application but is unable to satisfy all Design Review Standards. These include the following standards: 60.05.15.6.E, 60.05.25.3A.1, 60.05.25.4.D, and 60.05.20.4.

- B. Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Design Review Three. The decision-making authority is the Planning Commission. [ORD 4532; April 2010]

Response: This application is submitted under the Design Review Three process for the reasons described above.

- C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Three application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Design Review Three application.

Response: The proposal meets the threshold requirements for Design Review Three (number 8) because it qualifies for a Design Review Two application but does not satisfy all standards of the code.

2. All City application fees related to the application under consideration by the decision-making authority have been submitted.

Response: All fees that are required for the applications corresponding with this project are submitted with this report. Copies of the fees can be found in Exhibit A.

3. For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

Response: The applicant is pursuing a Design Review Three process as it qualifies for threshold number 8. Therefore, this criterion does not apply.

4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:

Response: This proposal is not an addition or modification to an existing development; Therefore, these criteria are not applicable.

5. For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP. [ORD 4584; June 2012]

Response: The applicant is not proposing a DRBCP phasing plan. Therefore, this criterion does not apply.

6. For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; April 2010]

Response: The proposal meets threshold number eight (8). The applicant has addressed all applicable standards in this code. The Design Guidelines have been addressed in place of the Design Standards that are not met.

7. For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines). [ORD 4531; April 2010]

Response: The proposal meets threshold number eight (8). However, the applicant has addressed the Design Standards, in addition to, the Design Guidelines. Therefore, this criterion does not apply.

8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Response: Applications and documents that require further approval from the City will be submitted in the proper sequence.

9. Submission Requirements. An application for a Design Review Three shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Three application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

Response: The Design Review application is submitted to the Director by an authorized agent of the owner of the subject property. The application is accompanied by the information in the application form checklist, by Section 50.25, and by information identified in the Pre-Application Conference.

10. Conditions of Approval. The decision-making authority may impose conditions on the approval of a Design Review Three application to ensure compliance with the approval criteria.

Response: The applicant understands the decision-making authority may imposed conditions of approval for the Design Review Three application.

40.45 LAND DIVISION AND RECONFIGURATION

40.45.15 Application

There are nine (9) types of applications under this Section, as follows: Property Line Adjustment; Replat One; Replat Two; Preliminary Partition; Preliminary Subdivision; Preliminary Fee Ownership Partition; Preliminary Fee Ownership Subdivision; Final Land Division; and Expedited Land Division. [ORD 4584; June 2012]

40.45.15.2 Replat One (For Taxlots 100 and 200).

- A. Threshold. An application for Replat One shall be required when any of the following thresholds apply: [ORD 4584; June 2012]
 1. The reconfiguration of lots, parcels, or tracts within a single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat; [ORD 4584; June 2012]
 2. The creation of a plat for land that has never been part of a previously recorded plat where no new lots or parcels are proposed. [ORD 4584; June 2012]

Response: The applicant is proposing to consolidate Tax lots 1S108DD00100 and 200 into one tax lot. This will be done by utilizing a Replat One for TL 100 & 200 will be consolidated using a Replat One.

- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Replat involving only the consolidation of lots and not triggering any of the thresholds in Section 40.45.15.3.A.1. through 40.45.15.3.A.3. The decision making authority is the Director. [ORD 4584; June 2012]

Response: This proposal does not qualify for a Replat Two as it is only consolidating tax lots.

- C. Approval Criteria. In order to approve a Replat One application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.
1. The application satisfies the threshold requirements for a Replat One. [ORD 4584; June 2012]

Response: The applicant is proposing to consolidate Tax lots 1S108DD00100 and 200 into one tax lot. This will be done by utilizing a Replat One for TL 100 & 200 will be consolidated using a Replat One.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Response: All applicable fees are submitted at the same time as this application.

3. The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.

Response: The Proposed Replat will not conflict with any City existing approvals. A second Replat is being proposed and is addressed in the next section. Both Replats do not conflict with any City existing approvals.

4. Oversized lots or parcels (“oversized lots”) resulting from the Replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. [ORD 4584; June 2012]

Response: This Replat will consolidate the two northernmost existing taxlots on the subject site into one large tax lot. This new tax lot will not preclude future partitioning and/or subdividing.

5. Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following: [ORD 4584; June 2012]
 - a. Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,
 - b. Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed, provides a standard street cross section with sidewalks. [ORD 4584; June 2012]

Response: There is no minimum density requirement for this development because it is in a Commercial Zone. Therefore, this standard is not applicable.

6. Applications that apply the lot area averaging standards of Section 20.05.15.D. shall not require further Adjustment or Variance approvals for the Land Division. [ORD 4584; June 2012]

Response: There is no lot area averaging standard for this development because it is in a General Commercial Zone. Therefore, this standard is not applicable.

7. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.

Response: The applicant is proposing to construct the development in 2 phases. This will be done using two Replat One applications. Taxlots 100 & 200 will be consolidated through a Replat One and then TL 300 will be consolidated with this new tax lot through a Replat One once the lease affecting TL 300 is concluded in 2020.

8. The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties. [ORD 4584; June 2012]

Response: The proposal to Replat the subject property will not interfere with pedestrian, utility services, or vehicle access to the affected properties. The Replat will allow the applicant to provide further access to the development for all the above-mentioned entities.

9. The proposal does not create a parcel or lot which will have more than one (1) zoning designation.

Response: The entire site is, and will remain, zoned as GC (General Commercial).

10. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

Response: The applicant is proposing a Design Review Three, two Replat Ones, a Loading Determination, and a Sidewalk Modification. These applications are addressed in this report and will be provided and processed through the proper sequences.

D. Submission Requirements.

1. An application for a Replat One shall be made by the owner(s) of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Replat One application shall be accompanied by the information required by the application form, and the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4584; June 2012]

Response: The applicant, who is representing the property owner, will apply and file the Replat with the Planning Director.

- E. Conditions of Approval.** The decision making authority may impose conditions on the approval of a Replat One application to ensure compliance with the approval criteria. [ORD 4584; June 2012]

Response: The applicant understands that the decision-making authority may impose conditions of approval for the loading determination. The applicant will respond to any given conditions and will resubmit to accommodate necessary changes.

40.45.15.2 Replat One (For Taxlots 300 and the consolidated 100 and 200).

- A. Threshold.** An application for Replat One shall be required when any of the following thresholds apply: [ORD 4584; June 2012]
1. The reconfiguration of lots, parcels, or tracts within a single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat; [ORD 4584; June 2012]
 2. The creation of a plat for land that has never been part of a previously recorded plat where no new lots or parcels are proposed. [ORD 4584; June 2012]

Response: After the previously-mentioned Replat is filed, the applicant is proposing to consolidate Tax lot 1S108DD00300 with the product of the consolidation of TL 100 and 200. This will be done by utilizing a Replat One. This will occur after the lease affecting the property on TL 300 ends in 2020.

- B. Procedure Type. The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Replat involving only the consolidation of lots and not triggering any of the thresholds in Section 40.45.15.3.A.1. through 40.45.15.3.A.3. The decision making authority is the Director. [ORD 4584; June 2012]

Response: This proposal does not qualify for a Replat Two as it is only consolidating tax lots.

- C. Approval Criteria. In order to approve a Replat One application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.
1. The application satisfies the threshold requirements for a Replat One. [ORD 4584; June 2012]

Response: After the previously-mentioned Replat is filed, the applicant is proposing to consolidate Tax lot 1S108DD00300 with the product of the consolidation of TL 100 and 200. This will be done by utilizing a Replat One. This will occur after the lease affecting the property on TL 300 ends in 2020.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Response: All applicable fees are submitted at the same time as this application.

3. The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through the Replat process to comply with current Code standards and requirements.

Response: The Proposed Replat will not conflict with any City existing approvals.

4. Oversized lots or parcels (“oversized lots”) resulting from the Replat shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot. [ORD 4584; June 2012]

Response: The applicant is proposing to Replat the existing taxlots on the subject site into one large rectangular tax lot. This new tax lot will not preclude future partitioning and/or subdividing.

5. Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following: [ORD 4584; June 2012]
 - a. Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,
 - b. Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed, provides a standard street cross section with sidewalks. [ORD 4584; June 2012]

Response: There is no minimum density requirement for this development because it is in a Commercial Zone. Therefore, this standard is not applicable.

6. Applications that apply the lot area averaging standards of Section 20.05.15.D. shall not require further Adjustment or Variance approvals for the Land Division. [ORD 4584; June 2012]

Response: There is no lot area averaging standard for this development because it is in a General Commercial Zone. Therefore, this standard is not applicable.

7. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.

Response: The applicant is proposing to construct the development in 2 phases. This will be done using two Replat One applications. Taxlots 100 & 200 will be consolidated through a the Replat One earlier-mentioned section of this report. Then TL 300 will be consolidated with this new tax lot through a Replat One once the lease affecting TL 300 is concluded in 2020.

8. The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties. [ORD 4584; June 2012]

Response: The proposal to Replat the subject property will not interfere with pedestrian, utility services, or vehicle access to the affected properties. The Replat will allow the applicant to provide further access to the development for all the above-mentioned entities.

9. The proposal does not create a parcel or lot which will have more than one (1) zoning designation.

Response: The entire site is, and will remain, zoned as GC (General Commercial).

10. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

Response: The applicant is proposing a Design Review Three, two Replat Ones, a Loading Determination, and a Sidewalk Modification. These applications are addressed in this report and will be provided and processed through the proper sequences.

D. Submission Requirements.

1. An application for a Replat One shall be made by the owner(s) of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. Provided, however, where the application is made in conjunction with a Legal Lot Determination under Section 40.47., the City may consider the application even if fewer than all the owners of the existing legal lot or parcel have applied for the approval. The Replat One application shall be accompanied by the information required by the application form, and the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference. [ORD 4584; June 2012]

Response: The applicant, who is representing the property owner, will apply and file the Replat with the Planning Director.

- E. Conditions of Approval.** The decision making authority may impose conditions on the approval of a Replat One application to ensure compliance with the approval criteria. [ORD 4584; June 2012]

Response: The applicant understands that the decision-making authority may impose conditions of approval for the loading determination. The applicant will respond to any given conditions and will resubmit to accommodate necessary changes.

40.50 LOADING DETERMINATION

40.50.10 Applicability.

A Loading Determination may be requested in writing to establish an off-street loading space total for any use not specifically listed in Section 60.25. (Off Street Loading), establish an off-street loading space total that differs from the listed requirement in Section 60.25., and modify the off-street loading space dimensions listed in Section 60.25. of the Development Code. [ORD 4584; June 2012]

40.50.15 Application.

There is a single Loading Determination application which is subject to the following requirements.

- A. **Threshold.** An application for Loading Determination shall be required when one or more of the following thresholds apply:
1. A request that the Director establish, in writing, an offstreet loading space total or requirement for any use not listed or substantially similar to a use listed in Section 60.25. (Off-Street Loading) of this Code.
 2. A request to modify the total number of off-street loading spaces from the required number listed in Section 60.25. (Off-Street Loading) of this Code.
 3. A request to modify the dimensions of a required off-street loading space listed in Section 60.25. (Off-Street Loading) of this Code.

Response: There are eight buildings being proposed with this development that are intended to have commercial uses on the ground floor. Each of these eight buildings has a total of only 4,108 square feet of commercial space each, which is well below the 7,000-square foot threshold that would require a loading berth (see 60.25.15). The 4,108 square feet of commercial space within these buildings is split up between four separate leasable spaces that range from 868 square feet to 1,354 square feet. The applicant is proposing to provide loading/unloading spaces behind the buildings within the drive aisles of the parking areas. These designated spaces will not interfere with the circulation of the parking areas and they will not be visible from the public ROW.

- B. **Procedure Type.** The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Loading Determination. The decision making authority is the Director.

Response: The applicant understands that a Loading Determination is subject to the standards described in section 50.40 and these standards will be adhered to.

- C. **Approval Criteria.** In order to approve a Loading Determination application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Loading Determination application.

Response: The applicant's request for a loading determination is applicable to 40.50.15.A.2 regarding the number of off-street loading spaces that are required. The applicant is requesting a loading determination to confirm that the applicant's proposal will be sufficient for the site.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Response: All applicable fees will be submitted at the same time as this application.

3. The determination will not create adverse impacts, taking into account the total gross floor area and the hours of operation of the use.

Response: The applicant is proposing to provide loading areas behind each building in the drive aisles of the parking lots. These drive aisles are not visible from the public ROW and the drive aisles are wide enough to allow vehicles to pass while loading/unloading is occurring.

4. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site and in connecting with the surrounding circulation system.

Response: The proposed development will provide safe and efficient vehicular and pedestrian circulation. The circulation plan in Exhibit C shows that the site utilizes a variety of 5, 10, and 20-foot sidewalks intended to create a safe pedestrian environment that is separated from the street by planter strips. The interior accessways are private but are designed to public street standards with 26-foot travel lanes and provided parking.

5. The proposal will be able to reasonably accommodate the off-street loading needs of the structure.

Response: The site will be able to accommodate the off-street loading needs of the proposed buildings. The provided parking lot aisles at the rear can be utilized for temporary loading space. As demonstrated in Exhibit C on the Preliminary Parking/Loading Plan, there are five (5) areas that can be designated as loading areas, all of which are accessible from multiple directions and do not lead to dead ends.

6. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.

Response: The applicant's proposal complies with the standards of Chapter 60, which have been addressed in this report.

7. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency.

Response: A management group will be created for the purpose of property maintenance for this development. This management group will be responsible for the periodic maintenance of the site.

8. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.

Response: The applicant will provide the necessary documents for the reviewing body to deem this application complete.

9. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Response: The applicant is proposing a Design Review Three, two (2) Replat Ones, and a Sidewalk Modification in addition to this Loading Determination (These applications are addressed in this report and will be provided and processed through the proper sequences).

- D. **Submission Requirements.** An application for a Loading Determination shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Loading Determination application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

Response: The applicant, who is representing the property owner, has applied and filed the loading determination with the Planning Director with all required information per the submission requirements.

- E. **Conditions of Approval.** The decision making authority may impose conditions on the approval of a Loading Determination application to ensure compliance with the approval criteria.

Response: The applicant understands that the decision-making authority may impose conditions of approval for the loading determination. The applicant will respond to any given conditions and will resubmit to accommodate necessary changes.

40.58 SIDEWALK DESIGN MODIFICATION

40.58.10 Applicability.

The Sidewalk Design Modification application shall be applicable to all streets in the City.

40.58.15 Application.

There is a single Sidewalk Design Modification application which is subject to the following requirements.

- A. **Threshold.** An application for Sidewalk Design Modification shall be required when one of the following thresholds applies:
1. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.
 2. The dimensions or locations of street tree wells specified in the Engineering Design Manual are proposed to be modified.

Response: The applicant is proposing a curb-tight sidewalk along the north side of the northernmost accessway, which has the effect of removing the planter strip from between the sidewalk and curb. The northern sidewalk of street B will be 5 feet wide so as to not build into the significant natural resource area and the southern sidewalk will be 10 feet wide so as to accommodate a larger share of pedestrian travel. Also, Street C is proposed to have 5' sidewalks, which is less than the standard 10' required for a public street. While these are not public streets, they have been designed to meet public street standards. Therefore, this sidewalk design modification is submitted.

- B. **Procedure Type.** The Type 1 procedure, as described in Section 50.35. of this Code, shall apply to an application for Sidewalk Design Modification. The decision-making authority is the Director.
- C. **Approval Criteria.** In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

Response: The applicant is proposing a curb-tight sidewalk along the north side of the northernmost accessway, which has the effect of removing the planter strip from between the sidewalk and curb. The northern sidewalk of street B will be 5 feet wide so as to not build into the significant natural resource area and the southern sidewalk will be 10 feet wide so as to accommodate a larger share of pedestrian travel. Also, Street C is proposed to have 5' sidewalks, which is less than the standard 10' required for a public street. While these are not public streets, they have been designed to meet public street standards. Therefore, this sidewalk design modification is submitted.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

Response: All applicable fees will be submitted at the same time as this application.

3. One or more of the following criteria are satisfied:
 - a. That there exist local topographic conditions, which would result in any of the following:
 - i. A sidewalk that is located above or below the top surface of a finished curb.
 - ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.
 - b. That there exist local physical conditions such as:
 - i. An existing structure prevents the construction of a standard sidewalk.
 - ii. An existing utility device prevents the construction of a standard sidewalk.
 - iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.
 - c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.
 - d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.

Response: This particular sidewalk abuts the SNRA area north of the subject site. Provision of a curb-tight sidewalk allows the proposed development to not impact the SNRA and still provide the necessary function of the sidewalk access along the northern edge of the development, adjacent to a creek corridor.

4. The proposal complies with provisions of Section 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements) and 60.55.30 (Minimum Street Widths).

Response: The proposed curb-tight sidewalks will still be complying with the provisions of Section 60.55.25 and 60.55.30.

5. Applications and documents related to the request, which will require further City approval, have been submitted to the City in the proper sequence.

Response: The applicant is proposing a Design Review Three, two (2) Replat Ones, and a Loading Determination. (These applications are addressed in this report and will be provided and processed through the proper sequences).

6. The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

Response: The proposed curb-tight sidewalk on Street B and the sidewalks on both Street B & C will be constructed at a minimum of 5 feet in width and will be able to adequately facilitate pedestrian travel. The southern sidewalk along Street B will be built with a ten-foot sidewalk. Therefore, the proposed modification will create a safe and efficient environment for pedestrians in the vicinity.

- D. **Submission Requirements.** An application for a Sidewalk Design Modification shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Sidewalk Design Modification application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

Response: The applicant, who is representing the property owner, has applied and filed the sidewalk modification with the Planning Director.

- E. **Conditions of Approval.** The decision-making authority may impose conditions on the approval of a Sidewalk Design Modification application to ensure compliance with the approval criteria.

Response: The applicant understands that the decision-making authority may impose conditions of approval for the loading determination. The applicant will respond to any given conditions and will resubmit to accommodate necessary changes.

40.90 TREE PLAN

40.90.10 Applicability.

Different types of resources require different levels of protection. No Tree Plan is required for the following actions:

15. Landscape Trees are covered by Section 40.20. (Design Review) and Section 60.60. (Trees and Vegetation).

Response: A tree plan is not needed because the applicant is only proposing to remove existing landscape trees. These trees will be replaced in compliance with Section 60.60, which addresses the removal and replacement of landscaping trees. Section 60.60 is addressed previously in this report.

IV. CONCLUSION

This narrative and the attached exhibits demonstrate compliance with the applicable provisions of the City of Beaverton Development Code. Therefore, the Applicant respectfully requests approval of the Design Review Three, Design Review Three, two (2) Replat One, Sidewalk Modification, and Loading Determination.